

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Academy School District 20 v. V.B.

Academy School District 20 · No. 24-cv-02895-RMR-MDB · Decided January 16, 2026

SUMMARY

The United States District Court for the District of Colorado granted in part and denied in part Academy School District 20's motion to submit additional evidence in its IDEA action challenging an administrative decision. The court admitted Exhibits 1 through 4 but excluded Exhibits 5 through 12 and declined to permit depositions or subpoenas for several medical providers because the proposed evidence was cumulative, insufficiently connected to the administrative record, or improperly sought to embellish the record. The court denied the separate subpoena and deposition motion as moot.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Maritza Dominguez Braswell
JURISDICTION	United States District Court for the District of Colorado
DECIDED	January 16, 2026
DOCKET	24-cv-02895-RMR-MDB
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought leave to submit additional evidence in an IDEA action challenging an administrative law judge's decision that the District denied V.B. a free appropriate public education. Petitioner also sought leave to depose and subpoena V.B.'s medical providers for an evidentiary hearing.
STANDARD OF REVIEW	Modified de novo review: the district court independently reviews the administrative record, may accept additional evidence if necessary, decides based on a preponderance of the evidence, and gives due weight to the administrative proceedings. Review must retain the character of review rather than become a de novo trial.
PRECEDENTIAL VALUE	District court order; precedential status is not identified in the source metadata.
PARTIES	Academy School District 20 v. V.B., a minor, by and through her parents and next friends, Leah Broyles and Ronnie Broyles

TOPICS

judicial review of agency action

administrative law

evidence

civil procedure

PRACTICE AREAS

education law

administrative law

disability law

civil procedure

QUESTIONS PRESENTED

1. What standard governs a district court's receipt of additional evidence in an IDEA action reviewing an administrative decision?
2. Whether Exhibits 1 through 12 were sufficiently supplemental and necessary to warrant admission into the IDEA administrative-review record.
3. Whether the District should be permitted to depose and subpoena medical providers who did not testify at the administrative hearing.

HOLDINGS

1. In this District, additional evidence in an IDEA review action must generally be supplemental to the administrative record and necessary to an informed judicial review; the proceeding may not be converted into a de novo trial.
2. Exhibits 1 through 4 were admissible because Exhibits 1 through 3 had apparently been admitted during the administrative hearing but were missing from the record, and Exhibit 4 provided useful context for reviewing the administrative decision and the related policies.
3. Exhibits 5 through 10 were not admitted because the District did not adequately establish their relevance to whether the District denied FAPE during the period reviewed by the ALJ, and their admission would risk turning the proceeding into a de novo review.
4. Exhibits 11 and 12 were not admitted because the District had an opportunity to present the underlying evidence during the administrative proceeding, and the proposed materials would improperly supplement or embellish rather than cure a genuine record gap.
5. The District was not entitled to depose or subpoena the medical providers for an evidentiary hearing because it failed to identify a specific ambiguity, factual gap, or material issue that their testimony would supplement; the motion was denied as moot in light of the ruling.

KEY QUOTATIONS

“The court’s review of an ALJ’s decision is a modified de novo review, meaning the court must “independently review the evidence contained in the administrative record, accept and review additional evidence, if necessary, and make a decision based on the preponderance of the evidence, while giving ‘due weight’ to the administrative proceedings below.”” (Legal Standard)

“Under the Burlington standard, “additional evidence” means evidence that is “supplemental to the administrative record.”” (Legal Standard)

“However, the “court’s proceedings must maintain the character of review and not rise to the level of a de novo trial.”” (Legal Standard)

FACTUAL BACKGROUND

V.B. is a student with significant mental and physical disabilities who receives services from Academy School District 20 under the IDEA. The District's September 2023 IEP recommended a specialized school placement and extensive special-education, related, nursing, and one-on-one services. After V.B.'s parents challenged the IEP, an ALJ found that the District denied FAPE, including by failing to justify a major change in placement, adopting goals insufficiently tailored to V.B., and relying on an overly narrow homebound-placement policy. The District sought to add documents, affidavits, service logs, and later-developed evidence to the federal review record.

PROCEDURAL HISTORY

V.B.'s parents filed an IDEA due-process complaint alleging that the District's individualized education program violated the IDEA and failed to provide FAPE. After a June 2024 administrative hearing, the ALJ ruled that the District denied V.B. FAPE. The District brought this federal action for review and moved to supplement the administrative record. The court granted the motion as to Exhibits 1 through 4, denied it as to Exhibits 5 through 12, and denied the separate subpoena and deposition motion as moot.

DISPOSITION

other

CASES CITED

- Murray v. Montrose County School District RE-1J, 51 F.3d 921, 927, 931 n.15 (10th Cir. 1995)
- Town of Burlington v. Department of Education, 736 F.2d 773, 790 (1st Cir. 1984)
- Ojai Unified School District v. Jackson, 4 F.3d 1467, 1472-73 (9th Cir. 1993)
- Metropolitan Government of Nashville & Davidson County, Tennessee v. Cook, 915 F.2d 232, 234 (6th Cir. 1990)
- L.S. v. Calhan School District RJ-1, 2016 WL 541005, at *2 (D. Colo. Feb. 11, 2016)
- L.B. ex rel. K.B. v. Nebo School District, 379 F.3d 966, 974 (10th Cir. 2004)
- O'Toole v. Olathe District Schools Unified School District No. 233, 144 F.3d 692, 708 (10th Cir. 1998)
- Ulibarri v. City & County of Denver, 742 F. Supp. 2d 1192, 1218 (D. Colo. 2010)
- Hill v. Kemp, 478 F.3d 1236, 1250 (10th Cir. 2007)
- United States v. Murray, 82 F.3d 361, 363 n.3 (10th Cir. 1996)
- J.G. v. School District 49, 2025 WL 3140340, at *1 (D. Colo. Nov. 10, 2025)
- United States v. Vargas, 720 F. App'x 471, 473 (10th Cir. 2017)

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