

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Z.J. v. District of Columbia

Civil Action No. 1:23-cv-1279 (JMC) (D.D.C. Feb. 27, 2026) · No. Civil Action No. 1:23-cv-1279 (JMC) ·
Decided February 27, 2026

SUMMARY

The United States District Court for the District of Columbia reviewed Plaintiffs’ objections to a magistrate judge’s Report and Recommendation concerning an IDEA challenge to an administrative hearing officer’s decision. The court held that the District of Columbia did not violate Plaintiffs’ procedural or substantive rights by denying or not providing requested observations of a proposed special education program. The court denied Plaintiffs’ motion for summary judgment and granted the District’s cross-motion for summary judgment.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Jia M. Cobb
JURISDICTION	United States District Court for the District of Columbia
DECIDED	February 27, 2026
DOCKET	Civil Action No. 1:23-cv-1279 (JMC)
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiffs sought judicial review under the Individuals with Disabilities Education Act of an independent hearing officer's decision rejecting their claims that the District denied Z.J. a free appropriate public education. The parties filed cross-motions for summary judgment, and plaintiffs objected to a magistrate judge's report and recommendation recommending denial of plaintiffs' motion and grant of the District's cross-motion.
STANDARD OF REVIEW	The court reviewed the magistrate judge's properly objected-to recommendations de novo under Federal Rule of Civil Procedure 72(b)(3). In reviewing the IDEA hearing officer's determination, the court independently reviewed the evidence, placed the burden on the challenging party to show by a preponderance of the evidence that the hearing officer was wrong, gave due weight to the administrative decision, and afforded some deference to the expertise of the hearing officer and school officials.

PRECEDENTIAL VALUE

Published district court memorandum opinion

PARTIES

K.J., J.J., Z.J. v. District of Columbia

TOPICS

summary judgment

judicial review of agency action

administrative law

civil procedure

civil rights

PRACTICE AREAS

special education

disability rights

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether DCPS violated plaintiffs' procedural right under D.C. Code § 38-2571.03(5)(A) to observe Z.J.'s current or proposed special education program.
2. Whether any alleged denial of observation significantly impeded plaintiffs' opportunity to participate in the IEP decision-making process or otherwise denied Z.J. a FAPE under the IDEA.
3. Whether the magistrate judge's report and recommendation should be adopted and the hearing officer's decision affirmed.

HOLDINGS

1. Plaintiffs did not trigger DCPS's statutory obligation to provide access to an observation because Dr. Solomon's request for a video meeting to learn how Deal planned to implement the IEP was not a request to observe the proposed program.
2. Plaintiffs had no statutory right to observe a special education program at Deal in October 2021 because Z.J. was not enrolled in DCPS and no current or proposed program for him existed at Deal at the time of the request.
3. Plaintiffs' litigation-related designee was not entitled to observe Deal after plaintiffs filed a due process complaint concerning the provision of a FAPE.
4. Any alleged denial of an observation did not constitute an actionable IDEA procedural violation because it did not significantly impede plaintiffs' participation in the IEP decision-making process, deprive Z.J. of educational benefit, or result in a loss of educational opportunity.

KEY QUOTATIONS

“Plaintiffs have not demonstrated that they had or triggered a right to observe under D.C. law or that any supposed denial of their requests significantly impaired their participation in Z.J.’s IEP development processes.” (14-15)

“Plaintiffs’ Motion for Summary Judgment, ECF 11, is DENIED. The District’s Cross Motion for Summary Judgment, ECF 13, is GRANTED.” (15)

FACTUAL BACKGROUND

Z.J., a child with ADHD, language and phonological disorders, and specific learning disorders, was found eligible for special education services. After attending the Lab School, Z.J. was the subject of IEP development by DCPS for proposed placement at Alice Deal Middle School. His parents participated in the IEP process but rejected the proposed level of specialized instruction and enrolled him at the Lab School instead. Plaintiffs or their educational consultant sought to observe Deal in July 2021, October 2021, and November 2022; the court concluded that the July communication did not request an observation, no current or proposed program existed for Z.J. in October, and the November request occurred after litigation had begun and fell within the statutory exclusion for litigation-related designees.

PROCEDURAL HISTORY

Plaintiffs participated in an IDEA administrative proceeding concerning DCPS's provision of a FAPE to Z.J. The hearing officer rejected all claims, including the claim concerning observation of Z.J.'s proposed special education program. Plaintiffs timely filed suit in federal court. Magistrate Judge Moxila A. Upadhyaya recommended denying plaintiffs' motion for summary judgment and granting the District's cross-motion. After de novo review of the properly asserted objection, the district court adopted the report and recommendation and upheld the hearing officer's decision.

DISPOSITION

affirmed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 150-51 (1985)
- Honig v. Doe, 484 U.S. 305, 311 (1988)
- Middleton v. District of Columbia, 312 F. Supp. 3d 113, 122 (D.D.C. 2018)
- Smith v. District of Columbia, No. 22-cv-2755, 2023 WL 6291637, at *5 n.2 (D.D.C. July 31, 2023), report and recommendation adopted, No. 22-cv-2755, 2023 WL 8519987 (D.D.C. Dec. 8, 2023)
- Cooper v. District of Columbia, 77 F. Supp. 3d 32, 37 (D.D.C. 2014)
- Leggett v. District of Columbia, 793 F.3d 59, 67 (D.C. Cir. 2015)
- Razzaghi v. District of Columbia, No. 03-cv-1619, 2005 WL 3276318, at *8 (D.D.C. Sept. 28, 2005)
- District of Columbia v. Ramirez, 377 F. Supp. 2d 63, 67 (D.D.C. 2005)
- Bd. of Educ. of Hendrick Hudson Cent. Sch. Dist. v. Rowley, 458 U.S. 176, 206 (1982)
- Woodson v. District of Columbia, No. 18-cv-1824, 2019 WL 3431154 (D.D.C. July 15, 2019), report and recommendation adopted, 2019 WL 3713524 (D.D.C. July 30, 2019)