

**Andrew F. v. Douglas County School District:**  
**New U.S. Supreme Court Decision Issued in Favor of Special Education Rights Advocates**

**RHODE ISLAND EDUCATION LAW**

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On March 22, 2017, the U.S. Supreme Court published a unanimous decision in support of children with special needs. Endrew F. is an autistic child who attended school in Douglas County School District until fourth grade. Endrew F. v. Douglas County School District, No. 15-827, slip op at 6 (U.S. March 22, 2017). His parents were unsatisfied with the progress Endrew was making in school, and with the failure of the Individualized Education Program (“IEP”) Team to make meaningful changes to the goals and objectives of his IEP. Id. The IEP team carried essentially the same IEP over yearly, with minimal modifications made to reflect and adapt to Endrew’s changing needs. Id. at 7. The school district contended that all that was required to provide Endrew with a free appropriate public education (“FAPE”) was to show annual minimal progress. Id. at 9. However, the U.S. Supreme Court disagreed with the school district in this decision, stating that more is required from the school district under the Individuals with Disabilities Act (“IDEA”). Id. at 14. The school district must provide an IEP that is “reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.” Id. at 14-15.

This case is important for special education advocates because it provides a standard of when the goals and objectives of an IEP are adequate to provide a FAPE. The adequacy of the



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IEP will depend on the unique circumstances of the child in question. Id. at 15-16. In this decision, the Supreme Court has made clear that the educational program designed for the child must offer more than minimal progress, stating that offering a child “merely more than *de minimus* progress from year to year can hardly be said to have been offered an education at all.” Id. at 14. School districts must provide special education students with an IEP designed to help each individual child succeed given whatever their unique learning circumstances may be.

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