



# Olivia Boone v. Rankin Independent School District, No. 23-60333, filed June 18, 2025 (Case Summary)

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## Case Facts

K.A. is a teenage male with severe autism. Since kindergarten, he has received special education through the Rankin County School District (the “School District”). K.A. has struggled academically and developed behavioral problems, including obsessive-compulsive tendencies, aggression, self-harm as well as elopement. Due to the severity of his behaviors, K.A. was placed at a private school for students with autism. Part of the reason that the private school was selected as an appropriate placement for K.A. was that it was a fenced and locked facility, which could rein in his elopement.

While at the private school, K.A. was reported to be unmanageable and disruptive, with tendencies of running from staff, smearing fecal matter, and physical aggression. By age fourteen, K.A. was only functioning at a kindergarten level and he continued to have significant behaviors.. In contrast, when he was seven years old, his scores were at the first grade level. On one occasion, during the COVID-19 pandemic, K.A. pulled down his pants and wiped his rear with another student's mask.

A few weeks later, the School District conducted an IEP meeting. The meeting began with positive reports about how K.A. was progressing at the private school. After discussing the reports, the committee informed Boone that it planned to transition K.A. from the private school to the Middle School. The principal stressed that the School District intended for the transition to begin “right away.”

The parent strenuously opposed the transition and argued that the committee violated a previously agreed to transition plan that would permit K.A. to visit smaller schools over a period of months. The principal asserted that K.A. had to be removed from the private school due to his age and the lack of programming to meet his needs at the school.

The parent continued to reject K.A.'s transition—noting that the Middle School was too large, did not have appropriate programs for K.A., and would only exacerbate his elopement issues.

The meeting resumed about two weeks later. The parent and the principal discussed one of K.A.'s report cards from October of that year, which stated that he was "doing an excellent job," "assum[ing] responsibility for himself," and being "respectful to his peers." The parent expressed that the report was inconsistent with her observation of her son's behavior and that she was "not buying" that K.A. changed so drastically within a month of wiping his rear with another student's mask. The principal dismissed the episode as "just one incident."

Later, a representative for the School District again informed the parent that K.A. would be removed from the private school and returned to his "home school," at the Middle School. The parent asked that the committee consider the district's High School because she believed it could better accommodate her son's needs. The representative responded that she had spoken with the School District's Director of Special Education, and that according to the director, the student was to return to his home school.

The parent filed for hearing.

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## **Procedural History**

The Administrative hearing officer found the District violated IDEA because the school had not developed a program that addressed the student's elopement and ordered the district to conduct a reevaluation, develop a new IEP that included a safety plan and addressed elopement, but denied compensatory educational services.

The parent appealed to federal district court challenging the court's denial of compensatory services and also sought attorneys' fees. The district court affirmed the hearing decision and awarded attorneys' fees. The parents appealed and the district cross-appealed.

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## **Legal Findings**

The Fifth Circuit upheld that Rankin failed to provide the student a FAPE because its IEP failed to address the student's elopement despite of the staff's awareness.

The Fifth Circuit also upheld the district court's denial of compensatory services, finding that this was not an abuse of discretion because compensatory education is equitable and not required if the court-ordered remedy already addresses the core IDEA violations.

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## **Lessons Learned**

1. Ensure IEPs are genuinely individualized: Known behaviors (e.g., elopement) must be explicitly addressed with clear intervention strategies.
2. Maintain active parental involvement: Parents must be integral to IEP decisions, particularly for placement and behavior plans. While a parent cannot dictate what the program will be, consideration should be given to parent requests. Consideration does not mean that the request has to be granted.
3. Track student outcomes: Demonstrable academic or behavioral progress is at the core of IDEA. If a student isn't progressing, an IEP meeting needs to occur to determine why and what revisions, if any, need to be made to the IEP
4. Compensatory services are an equitable relief. If a district failed to provide FAPE, compensatory services are designed to remedy the failure to provide FAPE.
5. Prevailing status under IDEA: Substantial, non-technical victories—including administrative orders—qualify parents for fee awards.

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