

**24-249 A.J.T. V. OSSEO AREA SCHOOLS**

DECISION BELOW: 96 F.4th 1058

LOWER COURT CASE NUMBER: 23-1399

QUESTION PRESENTED:

Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Rehabilitation Act) require public entities and organizations that receive federal funding to provide reasonable accommodations for people with disabilities. In the decision below, the Eighth Circuit held that, for discrimination claims "based on educational services" brought by children with disabilities, these statutes are violated only if school officials acted with "bad faith or gross misjudgment." App.3a.

That test squarely implicates an entrenched and acknowledged 5-2 circuit split over the standard governing such claims. It is also plainly mistaken on the merits: As the Eighth Circuit itself acknowledged, the test lacks "any anchor in statutory text," App.5a n.2, and it arbitrarily departs from the more lenient standards that all courts-including the Eighth Circuit-apply to ADA and Rehabilitation Act claims brought by plaintiffs outside the school setting.

The question presented is:

Whether the ADA and Rehabilitation Act require children with disabilities to satisfy a uniquely stringent "bad faith or gross misjudgment" standard when seeking relief for discrimination relating to their education.

CERT. GRANTED 1/17/2025