

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-1349**

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R.S., By and through his father Ronald E. Soltes,

Plaintiff - Appellant,

v.

BOARD OF DIRECTORS OF WOODS CHARTER SCHOOL COMPANY;  
WOODS CHARTER SCHOOL; DOES 1 to 10, Inclusive,

Defendants - Appellees.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Thomas D. Schroeder, Chief District Judge. (1:16-cv-00119-TDS-LPA)

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Submitted: April 22, 2020

Decided: May 27, 2020

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Before NIEMEYER, WYNN, and FLOYD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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R.S., Appellant Pro Se. Donna Rhea Rascoe, Katie E. Terry, CRANFILL, SUMNER & HARTZOG, LLP, Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

R.S., a minor, by and through his father, appeals the district court's order granting in part R.S.'s motion for summary judgment on his amended complaint alleging violations of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1482 (2018). "In IDEA cases, we conduct a modified de novo review, giving due weight to the underlying administrative proceedings." *R.F. ex rel. E.F. v. Cecil Cty. Pub. Sch.*, 919 F.3d 237, 244 (4th Cir.) (internal quotation marks omitted), *cert. denied*, 140 S. Ct. 156 (2019). "Whether a state has violated the IDEA has procedural and substantive components. Procedurally, the state must comply with the stated requirements of the IDEA. Substantively, the state must offer the child a" free appropriate public education (FAPE). *Id.* at 245 (citation omitted). "A procedural violation of the IDEA may not serve as the basis for recovery unless it resulted in the loss of an educational opportunity for the disabled child." *T.B., Jr. ex rel. T.B., Sr. v. Prince George's Cty. Bd. of Educ.*, 897 F.3d 566, 573 (4th Cir. 2018) (internal quotation marks omitted), *cert. denied*, 139 S. Ct. 1307 (2019). A procedural violation "that did not actually interfere with the provision of a FAPE is not enough. Rather, the procedural violation must have caused substantive harm. Specifically, the prospect of recovery for a procedural violation of the IDEA depends on whether the student's disability resulted in the loss of a FAPE." *Id.* (citation and internal quotation marks omitted).

After reviewing the extensive record in this case and the parties' arguments on appeal, we find no reason to alter the district court's compensatory education award. Accordingly, we affirm for the reasons stated in the district court's thorough opinion. *R.S.*

*v. Bd. of Dirs. of Woods Charter Sch. Co.*, No. 1:16-cv-00119-TDS-LPA (M.D.N.C. Mar. 4, 2019). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*