



Court Report

Education Law News You Can Use

[Court rules in favor of Christian group that doesn't let LGBTQ students serve as leaders and against school district](#)

In a decision by the Ninth Circuit, the appellate court entered an injunction mandating that a group be reinstated and a preliminary injunction entered against the school district in a case pitting anti-discrimination laws against rights to religious expression and free speech.

[In First-Impression Case, Judge Ordered to Reconsider Former MIT Student's Request to Proceed Anonymously in Title IX Suit](#)

A district court judge, who denied a plaintiff's request to proceed anonymously, was ordered to reconsider his ruling under a different standard.

[Uvalde school district and a litany of law enforcement agencies could face \\$27 billion class-action lawsuit over shooting](#)

A lawyer for shooting victims is seeking compensation for victims and families, citing the Texas House committee's investigative report that found "systemic failures" in response to the tragedy.

[Suicides falling in U.S. and Arkansas; one is too many, says psychologist](#)

Falling trend found at large and within schools.

[Judge blocks Florida's 'Stop WOKE Act' pushed by Gov. DeSantis](#)

Tallahassee U.S. District Judge Mark Walker said in a 44-page ruling that the "Stop WOKE" act violates the First Amendment and is impermissibly vague. Walker also refused to issue a stay that would keep the law in effect during any appeal by the state.

[U.S. Department of Education's Office for Civil Rights Announces Resolution of Anti-Semitic Harassment Investigation of Kyrene School District #28](#)

OCR determined that the district violated Title VI of the Civil Rights Act of 1964 and its implementing regulations by failing to respond appropriately to notice of on-going anti-Semitic harassment of a student by other students.

[U.S. Department of Education's Office for Civil Rights Reaches Settlement with Victor Valley Union High School District in California](#)

The U.S. Department of Education's Office for Civil Rights (OCR) announced that the Victor Valley Union High School District in California has entered into a resolution agreement to end race discrimination in implementation of school discipline. OCR determined that the district discriminated based on race in violation of Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing

regulations by disciplining Black students more frequently and more harshly than similarly situated white students. OCR identified a pattern of disparate disciplinary actions across types of discipline, schools, and grade levels that imposed greater harms – including in significant lost learning time – on Black students than their white peers.

Md. high court upholds constitutionality of student school board members

Maryland’s counties and Baltimore City may continue having a high school student serve as a voting member on their school boards and enabling non-voting-age pupils to elect that member, the state’s top court unanimously ruled Wednesday in rejecting a constitutional challenge to state laws that established the “student member of board” program.

Guidelines about student gender don’t violate parents’ rights, judge says

A judge dismissed a complaint against the Montgomery County school board by parents who alleged that the system’s student gender-identity guidelines violated their state and constitutional rights. Three parents, who filed anonymously in 2020 against the Montgomery County Board of Education (MCBE), argued that the guidelines curtailed their ability “to direct the care, custody, education, and control of their minor children,” under the Fourteenth Amendment, according to a memorandum opinion.

Pending U.S. Supreme Court Petitions to Watch:

- **State Health Plan for Teachers and State Employees v. Lake**: Whether a state legislature’s express reservation of the right to amend a statute providing benefits to government employees bars a claim under the Constitution’s contracts clause based on the legislature’s later decision to amend those benefits.
- **Central Specialties v. Large**: Whether, before proceeding to the qualified immunity analysis, courts must determine that a government official was acting within the scope of his authority.
- **Jones v. City of Detroit, Michigan**: Whether a public entity can be vicariously liable under a theory of respondeat superior for its employees’ violations of Title II of the Americans with Disabilities Act or the Rehabilitation Act.
- **Fairfax County School Board v. Doe**: (1) Whether a recipient of federal funding may be liable in damages in a private action under Davis v. Monroe County Board of Education in cases alleging student-on-student sexual harassment when the recipient’s response to such allegations did not itself cause any harassment actionable under Title IX; and (2) whether the requirement of “actual knowledge” in a private action under Davis is met when a funding recipient lacks a subjective belief that any harassment actionable under Title IX occurred.
- **Groff v. DeJoy**: (1) Whether the court should disapprove the more-than-de-minimis-cost test for refusing religious accommodations under Title VII of the Civil Rights Act of 1964 stated in Trans World Airlines, Inc. v. Hardison; and (2) whether an employer may demonstrate “undue hardship on the conduct of the employer’s business” under Title VII merely by showing that the requested accommodation burdens the employee’s coworkers rather than the business itself.
- **Counterman v. Colorado**: Whether, to establish that a statement is a “true threat” unprotected by the First Amendment, the government must show that the speaker subjectively knew or intended the threatening nature of the statement, or whether it is enough to show that an objective “reasonable person” would regard the statement as a threat of violence.

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