



Court Report

Education Law News You Can Use

[Iowa Federal Court Rejects Request Filed by Parents Challenging Policies Favorable to Transgender and Non-Binary Students but Lawsuit Proceeds](#)

A parent advocacy group sought to have a court temporarily bar a school district in Iowa from enforcing its policies regarding accommodations for transgender and non-binary students, but a district court denied the request stating that the request was too broad and would have prevented compliance with anti-harassment laws, such as Title IX. The Court also was skeptical as to the parents' constitutional claims. While the temporary relief was denied, the lawsuit against the district proceeds forward

[Court Rules In Favor of School District Who Fired Teacher with Social Media Posts Expressing Prejudice Against Muslims](#)

Tweets from a teacher that were charged politically and demonstrated national origin or religious discrimination generated significant local media attention and led to the non-renewal decision by the school district. The court found no constitutional violation occurred under the *Pickering* balancing test.

[Failure to Redrawn Electoral District Constituted Violation of Equal Protection Clause of the U.S. Constitution by School Corporation](#)

Voters challenged a school district's legislative districts in advance of an election under the constitutional one person-one vote standard. A court, finding that population shifts caused two districts to be in violation of the constitutional standard, entered an injunction and ordered that new maps be redrawn. The school district explained that it was restricted by state law from redrawing maps more frequently, but apparent compliance with the state statute was an insufficient explanation for the constitutional violation.

[University Professor had Constitutional Right to Criticize COVID Response](#)

District court denied summary judgment by university, holding that professor's constitutional claim regarding her non-renewal after criticizing her school's response to COVID must go to a jury trial.

[Female Public School Football Player's Title IX Claim Against Religious School Competitor For Banning Her from Playing in Away Game Survives Motion to Dismiss](#)

A religious school's PPP loan was sufficient to allow a court to conclude that a case may prove that the religious school received federal financial assistance to trigger Title IX compliance. Furthermore, the religious organization exemption may not apply, depending on the factual predicate of the case, and thus dismissal at this stage was premature.

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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