



Court Report

Education Law News You Can Use

[Texas' Takeover of Houston Schools Prompts Calls for OCR Investigation](#)

The Texas Education Agency decided to undergo a state takeover of Houston Independent School District, the state's largest and most diverse school system. Although the agency commissioner cited years of poor academic performance at a single high school, some view the move as a political tactic. A Texas Congresswoman has asked the Department of Education's Office of Civil Rights to investigate the takeover.

[ACLU Threatens Suit Against PA School District for Rescinding Facilities Use Approval for 'After School Satan Club'](#)

Following community pushback, the Saucon Valley School District rescinded approval of use of school facilities for meetings for the After School Satan Club, a self-reported secular organization. The American Civil Liberties Union of Pennsylvania sent [a letter](#) to the district demanding it reinstate its approval. The letter asserts that because the district has opened its facilities for general community use, the First Amendment prohibits the denial based on viewpoint or beliefs. The district has since [stood by its denial](#).

[Michigan Court Dismisses School District and Employees from Suit Over School Shooting, Citing Governmental Immunity](#)

In connection with a November 2021 mass shooting by a sophomore student that killed four students and injured seven people, a Michigan state court judge dismissed Oxford Community Schools and its employees from a lawsuit brought on behalf of the victims. The judge held that even if the school district and its employees were grossly negligent, they were not the direct cause of injury – rather, the shooter was – and that the district was a discharging its government functions, entitling it to immunity.

[D.C. City Council Considers Reversing Decision to Remove Police from Public Schools](#)

Following a measure approved two years ago to phase out law enforcement from campuses by 2025, several D.C. council members have backed a proposal to repeal the measure, citing constituent push for school resource officers. See more from [The Washington Post](#).

Pending U.S. Supreme Court Petitions to Watch:

- **[West Virginia v. B.P.J.](#)**: Whether the Supreme Court should vacate the Fourth Circuit's injunction of West Virginia's Save Women's Sports Act, a law which, in effect, limits participation in girl-designated school-sponsored sports to individuals whose reproductive biology at birth is female.
- **[Lindke v. Freed](#)** (linked with **[O'Connor-Ratcliff v. Garnier](#)**): Whether a public official's social media activity can constitute state action only if the official used the account to perform a governmental duty or under the authority of his or her office. (In *O'Connor-Ratcliff* specifically, two school board members blocked parents from their respective personal social media pages where they would sometimes discuss school matters with the public.)
- **[Kincaid v. Williams](#)**: Whether the diagnosis of gender dysphoria, found in the DSM-5, is excluded from the Americans with Disabilities Act's definition of disability under 42 U.S.C. § 12211(b).

- **City of Ocala, Florida v. Rojas**: Whether psychic or emotional offense allegedly caused by observation of religious messages is an injury sufficient to confer standing under Article III of the Constitution, including where the offended party deliberately seeks out the exposure in question. **Petition denied.**

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