



Court Report

Education Law News You Can Use

[U.S. Supreme Court Hears Oral Argument in Case About School Board Members Blocking Constituents on Social Media](#)

The Supreme Court heard three hours of arguments in the cases of *O'Connor-Ratcliff v. Garnier* and *Lindke v. Freed*, which generally involves public officials blocking local residents from their social media postings. The constituents allege a First Amendment violation. Questions from the justices identified various considerations, such as any First Amendment interests of the public officials themselves, and explored offline analogies, such as running into an elected official at a grocery store. Decisions in the two cases are expected by the end of the court's term next June.

[Final Title IX Rules Delayed Again](#)

The U.S. Department of Education missed its October deadline to finalize its proposed rulemaking under Title IX, which seeks to expand protections for LGBTQ+ students and addresses transgender participation in athletics. A DOE spokesperson has stated the delay stems from a historic number of comments received (over 240,000) on the proposed rulemaking and a thorough consideration of each comment.

[President Biden Issues Executive Order on Artificial Intelligence](#)

Among many different objectives, the order directs the Biden Administration to create resources to support educators deploying AI-enabled educational tools, such as personalized tutoring in schools. The order specifically requires the Secretary of Education to provide resources to address responsible, non-discriminatory uses of AI in education, including education-specific guardrails.

At the state level, [only two states](#) (California and Oregon) have offered official guidance to school districts on using AI in classrooms, while another 11 states are still developing guidance. Among state departments that do not have plans to issue any guidance, the rationale has been to defer decision-making and guidance to the district level.

[Meta Sued by 42 State Attorneys General Over Addictive Features Targeting Children](#)

As school districts nationwide created a litigation trend against social media companies for allegedly contributing to the student mental health crisis, state leaders have joined in the trend in a similar vein as well. Attorneys general from 33 states filed a federal suit against Meta in the Northern District of California, while nine others intend to file in their own states.

[First Circuit \(ME, MA, NH, PR, RI\) Revives Title IX Claim of Sexual Harassment for Mischaracterizing Incidents](#)

The United States Court of Appeals for the First Circuit reversed a grant of summary judgment on a Title IX claim against a K-8 charter school asserting hostile environment sexual harassment. The school had characterized certain reported incidents of sex-based harassment as "peer-to-peer conflict" as opposed to bullying, which the court found was sufficient evidence for a reasonable jury to find that the school exhibited deliberate indifference.

Pending U.S. Supreme Court Petitions to Watch:

- [Coalition for TJ v. Fairfax County School Board](#) – Whether a school district violated the Equal Protection Clause in revising the admissions policy for a highly selective magnet high school to select a certain percentage of its incoming class from each of the district’s constituent middle schools and the remaining allocation from a holistic review of a standardized application, allegedly in furtherance of a racial balancing goal.
- [Metropolitan School District of Martinsville v. A.C., a minor child by his next friend, mother, and legal guardian, M.C.](#) – Whether Title IX or the Equal Protection Clause dictate a single national policy that prohibits local schools from maintaining separate bathrooms based on students’ biological sex
- [Speech First, Inc. v. Sands](#) – Whether university bias-response teams - official entities that solicit, track, and investigate reports of bias; ask to meet with perpetrators; and threaten to refer students for formal discipline - objectively chill students’ speech in violation of the First Amendment.
- [Devillier v. Texas](#) - Whether a person whose property is taken by the government without compensation may seek redress under the Takings Clause of the Fifth Amendment.
- [O’Handley v. Weber](#) – Whether the government speech doctrine empowers state officials to tell a social media platform to remove political speech that the state deems false or misleading.
- [Muldrow v. City of St. Louis](#) – Whether Title VII of the Civil Rights Act of 1964 prohibits discrimination in transfer decisions absent a separate court determination that the transfer decision caused a significant disadvantage.

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