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Civil Rights Litigation Update

*Presented at the University of Texas School Law Conference
February 23, 2018*

Roadmap: Title IX Issues

Recent Developments in Title IX Cases

- Retaliation Claims
- Official Policy Claims
- Deliberate Indifference Claims
- Effect of DOE Guidance

Roadmap: Section 504/ADA Issues

Recent Developments in Section 504/ADA Cases

- Administrative Exhaustion After *Fry*
- Who Can Assert Claims
- Liability Standard

Roadmap: Title IX Issues

Recent Developments in Title IX Cases

- Retaliation Claims**
- Official Policy Claims
- Deliberate Indifference Claims
- Effect of DOE Guidance

Title IX: Retaliation Claims

Elements

- Plaintiff engaged in activity protected by Title IX
- Defendant knew of the protected activity
- Defendant subsequently took adverse action
- A retaliatory motive caused the adverse action

Title IX: Retaliation Claims

IF v. Lewisville ISD

- High school student alleged sexual assault by other students at off-campus party
- Claimed that LISD failed to respond adequately to IF's reports of off-campus assault and of bullying/harassment at school
- Claimed that LISD was deliberately indifferent to IF's reports

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First appeared as part of the conference materials for the
33rd Annual School Law Conference session

"Civil Rights Litigation Update"