



Fanning Harper Martinson Brandt & Kutchin

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

Find the full text of this and thousands of other resources from leading experts in over 30 legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Civil Rights Litigation Update

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

"Civil Rights Litigation Update"