

# Education Law: An Update on Recent Legal Challenges to K-12 Schools

February 19, 2020



# Josephine Franklin



***Moderator***  
**NASSP Staff**

Technical problems:

Call Zoom Support

**Toll Free 1.888.799.9666 ext. 2**

Provide the webinar ID when calling support:

(Webinar ID **836-585-307**)



**Twitter:**

@NASSP

#nasspwebinar

**Follow NASSP:**

facebook.com/principals

**Website:**

www.nassp.org/Webinar

**Certificate of Attendance:**

NASSP.org/webinarcompleted

# Today's Presenters

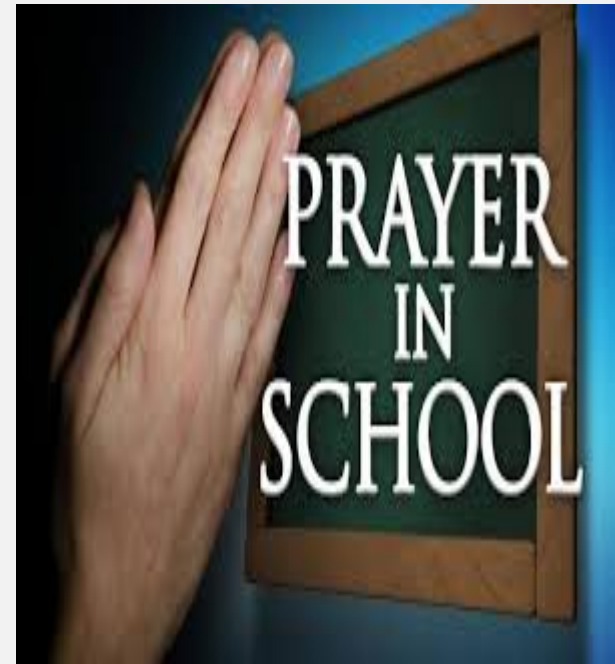


Suzanne Eckes

[seckes@indiana.edu](mailto:seckes@indiana.edu)

# New Guidance on Prayer in School

The current administration has issued an update to federal guidance on student religious expression in public schools. The American Civil Liberties Union (ACLU) wrote that the guidance is “nearly identical to the existing guidance issued in 2003 by then-President George W. Bush.”



--What do I need to know?

## What to Know

Student speakers (at school-related events) may not be selected on a basis that either favors or disfavors religious speech. Where student speakers are selected on the basis of genuinely neutral criteria and retain primary control over the content of their expression, that expression is not attributable to the school and therefore may not be restricted because of its religious (or anti-religious) content.

## What to Know

By contrast, when school officials determine or control the content of what is expressed, such speech is attributable to the school and may not include prayer or other specifically religious (or anti-religious) content.



# Proposed Changes to Title IX



# Proposed Regulations: Sexual Harassment/Assault

- What are some of the proposed changes related to harassment and assault in K-12 public schools?
- What are some of the more recent controversies involving peer sexual harassment?

# Preferred Names and Pronouns

In two recent legal challenges, teachers refused to address transgender students by their preferred names or pronouns based on their religious beliefs. These issues raise the question of whose rights take precedence when a school mandate might clash with teachers' personal or religious beliefs.

--What did the courts decide?

# Addressing Controversies in the Classroom

Teachers have reported an increase in hearing divisive rhetoric in the classroom about religion, gender, race, and immigration (Rogers et al., 2017; Walker, 2018).

--When addressing these issues, what legal issues do teachers need to remember?

# Other Legal Updates:

-Special Education

-Facial Recognition Technology

-Vaping



# Questions & Answers



# POTENTIAL CONFERENCE THEME



**SAVE  
The DATE**

**2020 NASSP  
National  
Principals Conference  
July 7-9, 2020  
National Harbor, MD**