

ABBREVIATED U.S. SUPREME COURT CHART

U.S. SUPREME COURT 2016 TERM

Updated July 25, 2016

New filings=green font

Updates=red font

Amicus cases=yellow highlight

Scheduled for conference=green highlight

CASE/DOCKET NO. /DATE FILED	ISSUE(S)	STATUS
<i>Szeinbach v. The Ohio State Univ.</i> , 16-73, 7/13/16	Employment & Labor: (1) May an award for economic harm be based upon lost economic opportunity in the labor market, where the unlawful retaliatory conduct caused the victim to reasonably cease seeking alternative employment before receiving any offer of alternative employment? (2) Does Professor Schondelmeyer's testimony support the jury award of \$213,368	Pending Consideration
<i>Pa. Dep't of Educ. v. King</i> , 16-49, 7/8/16	Finance: (1) Does application of the "doctrine of equitable offset" include the discretionary analysis of the grant recipient's underlying conduct in determining whether an adjustment to its repayment obligation is warranted; (2) May the U.S. Department of Education counter an otherwise appropriate offset with what amounts to an "unclean hands" defense	Pending Consideration
<i>Malcolm v. Honeoye Falls-Lima Cent. Sch. Dist.</i> , 15-1497, 4/7/16	Employment & Labor: (1) Is there a claim of race discrimination and retaliation here under state and federal law; (2) Can an employer be liable under Title VII and Exec. Law §296(1)(a)(6)(7) for numerous actions against the petitioner because of complaints of its unlawful employment practices and can the petitioner establish due process and equal protection rights violations; (3) Did petitioner's former employer's action constitute a material breach of the settlement agreement so that it's no longer binding and petitioner may raise a disparate treatment claim	Pending Consideration
<i>Tina M. v. St. Tammany Par. Sch. Bd.</i> , 15-1438, 5/23/16	Special Education & Disabilities: Are parents prevailing parties, entitled to attorneys' fees under the Individuals with Disabilities Education Act, when they obtain an order that remedies a violation of 20 U.S.C. §1415(j) by requiring that the student be returned to his lawful stay-put placement	Scheduled for Conference 9/26/16 <i>Legal Clips</i> summary of Fifth Circuit panel decision available at http://legalclips.nsba.org/2016/03/21/fifth-circuit-panel-rules-that-obtaining-stay-put-order-pursuant-to-idea-does-not-qualify-party-as-a-prevailing-party-for-purposes-of-recovering-attorneys-fees/

Williams v. Bd. of Educ. of Prince George's Cnty. , 15-1422, 5/19/16	Employment & Labor: (1) Did the Prince George's County Circuit Court deny petitioner due process when it granted summary judgment before affording her a hearing? (2) Did the lower courts' finding that petitioner didn't file her notice of appeal on time conflict with governing law and violate her due process rights? (3) Did the appeals court's finding that the issues presented weren't desirable and in the public interest a due process violation? (4) Was petitioner's right to select her own legal representation violated when the state appointed Damon Felton to appeal her unsatisfactory evaluation? (5) Did the circuit court err in accepting Felton's assertion that he was her attorney and in not finding the date in the letter from the local board of education had been manipulated? (6) Did the court err in not recognizing that the school board denied petitioner her due process rights	Pending Consideration
Mech v. Sch. Bd. of Palm Beach Cnty. , 15-1412, 5/18/16	Legal System: Does the decision in <i>Walker v. Sons of Confederate Veterans, Inc.</i> , 83 U.S.L.W. 4453 (U.S. June 18, 2015), allow the government to place an imprimatur on private advertising and thereby render the advertisement government speech, stripping it of all First Amendment protection	Pending Consideration
N.M. Ass'n of Nonpublic Sch. v. Moses , 15-1409, 5/16/16	Religion: Does applying a Blaine Amendment to exclude religious organizations from a state textbook lending program violate the First and Fourteenth Amendments	Pending Consideration
Malcolm v. Honeoye Falls-Lima Cent. Sch. Dist. , 15-1220, 1/25/16	Employment & Labor: (1) Is there a claim of race discrimination and retaliation here under state and federal law; (2) Did petitioner's former employer's action constitute a material breach of the settlement agreement so that it's no longer binding and petitioner may raise a disparate treatment claim; (3) Can an employer be liable under Title VII and Exec. Law §296(1)(a)(6)(7) for numerous actions against the petitioner because of complaints of its unlawful employment practices and can the petitioner establish due process and equal protection rights violations	Pending Consideration
Mua v. Bd. of Educ. of Prince George's Cnty. , 15-1029, 2/11/16	Employment & Labor: (1) Does a conspiracy to commit extortion require that the conspirators agree to obtain property from someone outside the conspiracy; (2) Can state officials working under color of law confiscate personal property of an employee in an organized scheme, in violation of the First, Fourth and 14th Amendments as well as federal civil rights laws because it deprives constitutionally adequate notice due to discrimination; (3) Can an employer mislead a federal court under federal employment discrimination law and initiate other actions in state court with a view to undermine justice while confiscating his personal property and misleading the terminated employee and the courts as part of the conspiracy	Pending Consideration
Holub v. Gdowski , 15-839, 12/28/15	Employment & Labor: (1) Is a school auditor acting within her ordinary job duties where three times she requests of upper management permission to speak to the school board about fraud (she had never addressed the board previously) and three times upper management refused permission, so she goes behind management's back and reports the fraud to individual board members anyway; (2) Because the inquiry in determining whether a public employee is speaking as a citizen was contested in this case, is this a question of law only or a mixed question of law and fact not susceptible to summary judgment	Pending Consideration
Andrew F. v. Douglas Cty. Sch. Dist. RE-1 , 15-827, 12/22/15	Special Education & Disabilities: What is the level of educational benefit that school districts must confer on children with disabilities to provide them with the free appropriate public education guaranteed by the Individuals with Disabilities Education Act, 20 U.S.C. §1444 <i>et seq.</i>	Pending Consideration Solicitor General invited to file brief

<i>Colo. State Bd. of Educ. v. Taxpayers for Pub. Educ.</i> , 15-558, 10/28/15	Privatization & School Choice: Does requiring a state to categorically deny otherwise neutral and generally available public aid on the basis of religion violate the U.S. Constitution	Pending Consideration <i>Legal Clips</i> summary of Colorado Supreme Court decision available at http://legalclips.nsba.org/2015/07/06/colorado-supreme-court-strikes-down-districts-private-school-voucher-program-on-state-constitutional-grounds/
<i>Douglas Cty. Sch. Dist. v. Taxpayers for Pub. Educ.</i> , 15-557, 10/28/15	Privatization & School Choice: Can Colorado's Blaine Amendment, which the unrebutted record plainly demonstrates was born of religious bigotry, be used to force state and local governments to discriminate against religious institutions without violating the religion clauses of the First Amendment and the equal protection clause of the Fourteenth Amendment	Pending Consideration <i>Legal Clips</i> summary of Colorado Supreme Court decision available at http://legalclips.nsba.org/2015/07/06/colorado-supreme-court-strikes-down-districts-private-school-voucher-program-on-state-constitutional-grounds/
<i>Doyle v. Taxpayers for Pub. Educ.</i> , 15-556, 10/27/15	Privatization & School Choice: Does it violate the religious clauses or equal protection clauses of the U.S. Constitution to invalidate a generally-available and religiously-neutral student aid program simply because the program affords students the choice of attending religious schools	Pending Consideration <i>Legal Clips</i> summary of Colorado Supreme Court decision available at http://legalclips.nsba.org/2015/07/06/colorado-supreme-court-strikes-down-districts-private-school-voucher-program-on-state-constitutional-grounds/
<i>Ivy v. Williams</i> , 15-486, 10/14/15	Special Education & Disabilities: Did the U.S. Court of Appeals for the Fifth Circuit err in deciding that the relationship between public and private actors does not invoke dual obligations to accommodate in any context other than an express contractual relationship between a public entity and its private vendor	Review Granted 6/28/16
<i>Fry v. Napoleon Cmy. Sch.</i> , 15-497, 10/15/15	Special Education & Disabilities: Does the Handicapped Children's Protection Act of 1986, 20 U.S.C. §1415(l), require exhaustion in a suit, brought under the Americans with Disabilities Act and the Rehabilitation Act, that seeks damages—a remedy that is not available under the Individuals with Disabilities Education Act	Review Granted 6/28/16