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Court Sides with High School Wrestler in Altercation with Spectators

By Dr. John Wendt

TAKEAWAYS

- NJSIAA rules stipulate that any player that leaves the bench area during an altercation, regardless of whether the player engages in the altercation, shall be disqualified.
- Following a fight in the stands, where Knox entered the stands and threw a punch during the fight, NJ-SIAA executive director Colleen Maguire suspended Knox for the rest of the season and disqualified him from the NJSIAA wrestling state tournament.

- Knox then filed a temporary restraining order (TRO) challenging his disqualification and arguing that his suspension came without notice and violated the Due Process Clause of the 14th Amendment.
- Hours before the regional competition was to begin Judge Patrick J. Bartels granted Knox's TRO based on the record the NJSIAA never contacted Knox before sending him his disqualification notice, and the disqualification notice defied general notions of public policy and fundamental process.

See **WRESTLER** on page 12

Doe v. Nash County Board of Education: Title IX Liability and Institutional Response to Sexual Misconduct

By Conner Poulin

TAKEAWAYS

- A school district that receives federal financial assistance is liable under Title IX for sex-based discrimination if a school official with authority to address the alleged discrimination has actual knowledge of harassment, including teacher-on-student misconduct, and responds with deliberate indifference.
- Absent a pattern of prior misconduct, courts may be reluctant to find that an isolated incident, even if it is an egregious one, is enough

to establish supervisory liability.

- In North Carolina, students alleging misconduct against teachers may seek a state constitutional claim as an exception to a sovereign immunity defense that many public officials assert in traditional tort claims.
- For school districts, effective Title IX compliance demands proactive investigation, clear documentation, and a willingness to remove potentially dangerous individuals from student-facing roles pending inquiry.

See **TITLE IX** on page 15

Trinity High School Under Fire: The Day a Heat Stroke Became a Legal Flashpoint

By Dr. Kyle Conkle, Assistant Professor of Sport Management, University of North Alabama

TAKEAWAYS

- In his lawsuit, N.R. alleges that by not promptly recognizing and treating his heat stroke, the staff violated both state law and KHSAA policies, which resulted in life-threatening conditions and significant organ damage.
- The allegations suggest that a failure to adequately train and supervise coaching staff may contribute to preventable injuries, thereby necessitating a reassessment of current practices to better protect student-athletes.
- The involvement of external service providers, such as KORT, the designated sports medicine provider for Trinity High School, is a further subject of the lawsuit, alleging that these providers failed to ensure that their personnel complied with established emergency response guidelines, which in turn may lead to enhanced scrutiny of contractual and supervisory

arrangements between schools and their external service providers.

At approximately 8:00 a.m. on July 31, 2024, the varsity football team at Trinity High School in Louisville, Kentucky, commenced practice. Due to the absence of the first-string center, N.R., a second-string center, was assigned additional responsibilities, resulting in his performing more than twice the number of repetitions normally expected. Additionally, the practice conducted on the previous day had imposed an increased workload on the team, which may have contributed to heightened physical strain.

During the practice, several teammates observed that N.R. was not performing at his usual level. As the session progressed, it became apparent that his performance deteriorated beyond that anticipated from routine fatigue. N.R. was unable to complete the customary conditioning run within his typical time which indicated that his physical condition had significantly declined. It is alleged that during the practice, Coach Leslie directed N.R. to

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repeat a conditioning run despite observable signs of distress. Eyewitness accounts indicate that during this period, Coach Leslie made comments directed toward N.R. that have been described as derogatory. Specific remarks concerning N.R.'s family history were also noted. No intervention by other coaching staff or athletic trainers was reported at that time, and N.R. was required to complete an additional conditioning run.

Following the observable decline in N.R.'s condition, a 911 call was placed at approximately 10:20 a.m. by Coach Hilbert, who reported that N.R. was unresponsive. Despite the availability of a cold tub, equipment designated for rapid cooling measures in accordance with guidelines set by the Kentucky High School Athletic Association (KHSAA), no action was taken to transport N.R. to the training room or to initiate the cooling procedure. When emergency medical services arrived at approximately 10:30 a.m., N.R. was found unresponsive, with a recorded core temperature of 107.5°F. Subsequent assessments revealed that N.R. was in an unstable condition, with low blood pressure and an elevated heart rate. He was transported to Norton Children's Hospital, where it was determined that the prolonged exposure to high body temperatures had resulted in significant damage to his heart, kidneys, liver, and other organs.

The incident is further characterized by allegations that the assistant coach's methods were not isolated but part of a broader pattern of conduct. It is claimed that Trinity High School, its Foundation, and the Archdiocese responsible for oversight have been aware of the coaching practices in question and have failed to implement adequate supervisory measures and training protocols. The failure to initiate timely medical intervention, despite the availability of appropriate equipment, is cited as evidence of institutional shortcomings in ensuring the safety and welfare of student-athletes. The plaintiff alleges that the Trinity Defendants including Trinity High School, its Foundation, and the Archdiocese breached their duty to maintain a safe environment for student-athletes. It is

asserted that by not promptly recognizing and treating N.R.'s heat stroke, the staff violated both state law and KHSAA policies, resulting in life-threatening conditions and significant organ damage.

The lawsuit contends that the failure to adhere to statutory requirements and KHSAA guidelines, specifically, the failure to utilize the available cold water immersion equipment within the prescribed time frame, constitutes negligence per se. The allegations assert that such a failure represents a direct violation of statutory duties designed to safeguard student-athlete health. In addition to physical injuries, the lawsuit claims that N.R. suffered substantial emotional distress due to the treatment received during the practice. The allegations state that the verbal com-



ments made by Coach Leslie, coupled with the absence of timely intervention by other staff, contributed to psychological harm, thereby constituting infliction of emotional distress. The claims also include allegations that the administration of Trinity High School failed to properly supervise and train its coaching staff. It is alleged that the school was aware of Coach Leslie's prior conduct and yet did not take sufficient measures to address or rectify his behavior,

thereby contributing to the conditions that led to N.R.'s injury. The lawsuit further alleges gross negligence on the part of the Trinity Defendants, arguing that their actions or omissions were characterized by a reckless disregard for the safety of student-athletes. As a result, the plaintiff seeks punitive damages to deter similar conduct in the future. Lastly, the plaintiff asserts that the conduct exhibited by certain coaching staff was intentional and aimed at causing emotional distress. The claim contends that the remarks made during the practice were deliberate and exceeded acceptable bounds of professional conduct, thereby intentionally inflicting emotional distress on N.R.

The incident raises important questions regarding the standards and practices within high school athletic programs. The allegations prompt a review of the training methods and the extent to which strenuous practice

regimens are monitored to prevent undue physical and emotional stress on student-athletes. Given the serious nature of the incident, there is potential for this case to influence future legislative and regulatory actions at the state level. The case underscores the need for rigorous enforcement of emergency response protocols and may prompt reviews of existing guidelines to ensure that all athletic programs adhere to the mandated safety standards. The involvement of external service providers, such as KORT, the designated sports medicine provider for Trinity High School, has also been highlighted. The lawsuit alleges that these providers failed to ensure that their personnel complied with established emergency response guidelines. This aspect of the case may lead to enhanced scrutiny of contractual and supervisory ar-

rangements between schools and their external service providers. Finally, the case emphasizes the importance of comprehensive training and effective supervision for all personnel involved in athletic programs. The allegations suggest that a failure to adequately train and supervise coaching staff may contribute to preventable injuries, thereby necessitating a reassessment of current practices to better protect student-athletes.

This case, pending resolution through the legal process, may have significant implications for the administration of athletic programs, the supervision of coaching staff, and the regulatory framework governing student-athlete safety. It remains a subject of considerable interest as stakeholders await the outcomes and potential reforms that may arise from the court's determination.

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Court Rules for Youth Soccer Club in Lawsuit of Concussion Safety Laws

By Charles Keller

A negligence lawsuit filed in Maryland has brought attention to important safety protocols in youth sports, specifically regarding concussion education and prevention. Homer and Sydney Walton sued Premier Soccer Club, Baltimore County officials, and others after 14-year-old Sydney suffered a serious head injury during an indoor soccer practice. The case focused on whether the defendants violated a Maryland law requiring education on concussion risks, and whether that violation contributed to Sydney's injury.

THE INCIDENT

The injury occurred on December 13, 2017, during a team practice at the Northeast Regional Recreation Center in Baltimore County, Maryland. Sydney was participating in a full-speed indoor scrimmage on Field 2 when she collided with another player and hit her head on a wooden boundary wall. She was later diagnosed with a concussion and other head-related injuries.

According to the lawsuit, Sydney's team was practicing on a field that wasn't properly reserved or lit. The lights had reportedly been turned off because the team didn't have the correct permit. The Waltons also alleged

that the team had no legal permission to use Field 2 and had accessed it by using another team's permit—one that didn't even apply to that field. They claimed that certain individuals, including Michael DeCarlo (a parent and board member in a local soccer organization), helped facilitate this by encouraging the team to practice under false pretenses.

THE LEGAL ARGUMENT

The heart of the case was whether the soccer club and related parties violated Maryland's concussion safety law, known as the Youth Sports Concussion Law (Health-General 14-501). This law requires youth sports programs to provide concussion awareness materials to players, parents, and coaches. Coaches must also review the material. If a player is suspected of having a concussion, they must be removed from play and can't return without medical clearance.

The Waltons argued that the Premier Soccer Club violated this law by failing to provide any concussion materials to players or parents and by failing to ensure the coach had reviewed them. They also claimed the County failed in its duty to notify the soccer club about these requirements. The law mandates that notification

must be made before any team uses a government facility. The Waltons stated that this created unsafe conditions and contributed to Sydney's injury.

Their legal theory was based on something called "negligence based on violation of a statute." In Maryland, this requires proving two key things:

1. That the defendant broke a law designed to protect a specific group of people (in this case, youth athletes like Sydney).
2. That breaking the law was the proximate cause of the injury—that is, the injury wouldn't have happened if the law had been followed.

WHAT THE COURT DECIDED

The courts ultimately ruled against the Waltons. The Maryland trial court granted summary judgment, meaning the case was decided without a full trial. The Appellate Court and then the Supreme Court of Maryland both upheld that decision.

The judges agreed that the statute in question was meant to protect youth athletes and that the Waltons were within the protected class. However, they said that wasn't enough. The Waltons also needed to show how the failure to follow the law directly caused Sydney's injury. And on that front, the courts said the Waltons didn't provide enough evidence.

They didn't include the concussion materials in the record or explain how the materials, if reviewed, would have changed the coach's behavior or the practice setup. The court emphasized that there was no evidence showing the coach would have done things differently or that this would have prevented Sydney's collision. Without this link, the courts said the claim couldn't move forward.

ARGUMENTS ON BOTH SIDES

The Waltons argued that the coach failed to create a safe practice environment and had he been educated through the required materials, he might have run the session

differently—perhaps avoiding full-speed drills in a confined space. They believed this lack of education led to poor safety decisions and ultimately to Sydney's injury.

On the other side, the defense argued that even if the concussion law was not followed, that alone did not prove it caused the injury. They said injuries can still happen even when all safety rules are followed, and that there was no direct proof that Sydney's concussion would have been avoided if the materials had been provided.

WHY IT MATTERS

This case highlights the challenges in holding organizations accountable for not following safety laws—especially when there's an extra step required to prove causation. The court made it clear that simply pointing to a broken rule isn't enough. Plaintiffs must show how the broken rule directly led to the injury.

It also shows that concussion risks in youth sports remain a serious issue. Laws like Maryland's are meant to educate and prevent injuries, but enforcement and follow-through can vary. The *Walton* case is a reminder of the importance of making sure coaches, parents, and athletes are aware of concussion protocols and are trained in safe practices.



CONCLUSION

The *Walton v. Premier Soccer Club* lawsuit reveals the complexity of negligence cases involving youth sports safety laws. Even though the Waltons were able to show that safety rules were not followed, they were unable to prove that this failure caused Sydney's injury.

The case sends a message to schools, coaches, and sports organizations: if you don't follow concussion safety laws, you could still be held accountable—but only if there is clear evidence that your failure directly caused harm. Moving forward, it also emphasizes the need for stronger documentation, better training, and consistent enforcement of youth sports safety policies.

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Wisconsin Supreme Court Rules in Favor of the WIAA in Halter Case

By Joshua Frieser, ESQ and Samantha Mudlaff

TAKEAWAYS

- The Wisconsin Supreme Court reversed the Court of Appeals ruling that previously held that WIAA is state actor and that WIAA acted arbitrarily in interpreting its Rules of Eligibility in the case of a high school varsity wrestler who attempted to serve a suspension for his next competitive event by sitting out a junior varsity meet before the regional tournament.
- The Wisconsin Supreme Court refused to address the question of whether WIAA is a state actor and in doing so missed an opportunity provide meaningful guidance to lower courts in future cases between Wisconsin high school athletes and the WIAA.
- With the state Supreme Court declining to provide clarity on the WIAA's status as a state actor, it remains unclear whether high school student-athletes in Wisconsin are entitled to the constitutional protections (e.g., freedom of speech and due process) afforded to individuals that are regulated by state actors.

In a decision issued on April 8, 2025, the Wisconsin Supreme Court **reversed the Court of Appeals'** ruling in favor of high school wrestler Hayden Halter, upholding the Wisconsin Interscholastic Athletic Association's (WIAA) interpretation and application of its suspension rules.

BACKGROUND

In February 2019, Hayden Halter, a sophomore wrestler at Waterford Union High School, was ejected from a varsity wrestling meet due to two unsportsmanlike conduct violations. According to WIAA's rules at the time, such an ejection required the athlete to serve a suspension during the "next competitive event." Halter attempted to serve this suspension by sitting out a junior varsity meet before the regional tournament. However, the WIAA determined that this did not satisfy the suspension requirement, asserting that the "next competitive event" referred to the next varsity-level competition, which was the regional tournament.

Halter and his father filed a civil action to prevent the WIAA from barring him from postseason competition. The circuit court issued a temporary restraining order,

allowing Halter to compete, and he went on to win the state championship. The circuit court later ruled in favor of the WIAA, but the **Court of Appeals reversed this decision**, concluding that (1) the WIAA is a state actor under the Supreme Court's *Brentwood* standard and (2) the WIAA acted arbitrarily in interpreting and applying its Rules of Eligibility.

SUPREME COURT'S DECISION

After granting the WIAA's petition for review, the Wisconsin Supreme Court reversed the Court of Appeals' ruling. The majority concluded that even under certiorari review, the WIAA acted within reason in applying its interpretation of the suspension rule. The Court emphasized the WIAA's longstanding published guidance, including examples showing that suspensions for varsity-level conduct must be served at the next varsity event—not a lower-level competition. The Court also highlighted that the rules and interpretations had been clearly communicated to schools prior to the postseason.

Importantly, the Court declined to rule on whether the WIAA is a state actor under the *Brentwood* "substantial entwinement" standard, avoiding a potentially precedent-setting constitutional question. While the question was answered in the affirmative by the Court of Appeals in this case, the decision is reversed by the Supreme Court, even though it did not address the issue. The Supreme Court also did not decide whether WIAA decisions are generally subject to certiorari review, assuming for purposes of the opinion that they were—and still siding with the Association.

A dissent by Chief Justice Annette Ziegler criticized the majority for deferring to the WIAA's interpretations, arguing they lacked consistency and transparency. Most important to her dissent, the Chief Justice argued that the majority opinion failed to meaningfully develop the law or answer questions that have statewide importance.

While the WIAA's status as a state actor under the *Brentwood* standard has evaded judicial review for more than two decades (aside from the now overruled decision from the Court of Appeals), the Wisconsin Supreme Court missed an opportunity to address the question and provide meaningful guidance to lower courts in future cases

between Wisconsin high school athletes and the WIAA.

IMPLICATIONS

This decision represents a major win for the WIAA, reaffirming its authority to interpret its own eligibility rules and apply them in ways courts will typically not second guess, provided they act reasonably and within published guidance. Further, this ruling underscores the deference courts may give to athletic associations like the WIAA in interpreting their own rules, provided their decisions are reasonable and not arbitrary. It also clarifies that under certiorari review, courts will not substitute their judgment for that of the organization unless there is a clear abuse

of discretion.

For student-athletes and WIAA member schools, this decision highlights the importance of understanding and adhering to the interpretations and applications of rules by governing bodies like the WIAA. It also illustrates the challenges in seeking judicial relief against such organizations' decisions. With the state Supreme Court declining to provide clarity on the WIAA's status as a state actor, it remains unclear whether high school student-athletes in Wisconsin are entitled to the constitutional protections (e.g., freedom of speech and due process) afforded to individuals that are regulated by state actors.

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IHSA Responds To IL Lawmakers Regarding Transgender Laws

The Illinois High School Association (IHSA) Board of Directors responded to lawmakers in Illinois on April 15, 2025, after receiving a letter from the Republican caucuses of both houses seeking clarity on the President's Executive Order regarding transgender participation in high school sports in Illinois. There is a growing narrative seeking to politicize the IHSA's response, however, as it plainly explains in the copy of the letter provide below, the IHSA is seeking clarity on conflicting state and federal law so that we can remain in compliance: "Assuming for purposes of this discussion that the (President's) executive order in question

represents an authorized exercise of presidential authority that accurately reflects federal law, the inquiry is not ended. The Illinois Attorney General and, most recently, the Illinois Department of Human Rights have asserted to the IHSA that the Illinois Human Rights Act requires that transgender athletes be permitted to participate in events and programs aligning with the gender with which they identify. As a result of the foregoing, compliance with the Executive Order could place the IHSA out of compliance with the Illinois Human Rights Act and vice versa."

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Sports Law Expert Podcast Interviews Sports Lawyer John Tyrrell of Ricci Tyrrell Johnson & Grey

Hackney Publications has announced the availability of a recent interview with Sports Lawyer John Tyrrell of Ricci Tyrrell Johnson & Grey on the Sports Law Expert Podcast.

The segment can be heard [here](#).

"John has extensive experience representing operators and managers of stadiums, arenas, entertainment and recreational facilities, including professional and collegiate sports teams, which is one of the reasons

we sought him out for this exclusive interview," said Holt Hackney, the CEO of Hackney Publications. "His thought leadership in our publication Sports Facilities and the Law also caught our attention."

Tyrrell also has experience working with golf courses, ice rinks, gymnastics facilities, rowing associations, paintball facilities, and concert and entertainment venues.

For more on his background, visit <https://www.rtgjlaw.com/attorney-bios/john-e-tyrrell/>

Court: School District Was Within Its Rights to Punish Employee for Argument at Basketball Camp

By Holt Hackney

- The court considered whether Williams was retaliated against when the school district allegedly ignored her reports that her son was being bullied and replaced her job position when she was suspended, resulting in her constructive termination, but found that Williams failed to establish a claim for retaliation.
- Instead, the court found that the school district presented a legitimate reason for replacing Williams, specifically that someone needed to work in that special education position during her suspension and that it would be unreasonable and counterproductive to fire that individual after one semester.
- For her gender discrimination claim, the court found this also failed because Williams was unable to establish that she was similarly situated to the male coaches, and therefore, she was unable to make a prima facie case and establish a claim.

A federal judge from the Western District of Arkansas has granted a school district's motion for summary judgment in a case in which it was sued for employment discrimination.

The underlying incident involved plaintiff/employee Angelia Williams, who got into a verbal confrontation with a high school basketball coach in the Harmony Grove School District on June 15, 2023, and was subsequently suspended without pay.

The plaintiff sued, alleging that she was discriminated against based on her gender and retaliated against in violation of Title VII of the Civil Rights Act of 1964 (Title VII) and the Arkansas Civil Rights Act of 1993 (ACRA), Ark. Code Ann. § 16-123-101, et seq.

By way of background, the court noted the plaintiff was employed under two contracts with the school district. Under the first contract, Williams was employed as a reading interventionist aide in the special education department. Under the second contract, she was employed as a bus driver. On July 1, 2023, Williams was due to renew her contract as a special education aide.

On the day of the aforementioned incident, the plaintiff's son, who was a student in the district, was attending a basketball camp sponsored by the district. Williams

had volunteered to work at the gymnasium's entry gate monitoring visitor passes and accepting money for the basketball camp. One of the people helping run the basketball camp was the high school boys' basketball coach Eddie Potts (Coach Potts). That day, Williams confronted Coach Potts because she believed her minor son was being bullied by other students at the basketball camp and that Coach Potts was allowing it to happen.

During the confrontation, which occurred in front of 50 people, the plaintiff reminded Coach Potts of the state and federal regulations about bullying and suggested that he was aware of bullying incidents but chose not to do anything about them. Williams then stated that her son had been attending counseling because of the bullying. She further became belligerent in her language.

Later that night, Williams texted Coach Potts that "I am very sorry that I spoke to you in the manner I did. I know that was not the venue for me to speak with you, and certainly not an ugly manner." Coach Potts then called the plaintiff. In the call, Williams told the coach that she still wanted to report the bullying students. She did so, contacting District Superintendent Albert L. Snow (Superintendent Snow). However, the district believed the plaintiff's behavior was "unbecoming, unprofessional, disorderly based on her tone of voice, choice of words, disrespectful statements, and efforts to incite altercations between other adults."

On June 20, 2023, Superintendent Snow sent Williams a Notice of Recommended Termination of Employment Contract because of her conduct on June 15, 2023. Superintendent Snow believed that the plaintiff's conduct hampered her ability to effectively perform her job duties and warranted her termination. The plaintiff appealed the district school board.

On July 20, 2023, the board met and determined that Williams violated District Policy 8.45 Classified Personnel Code of Conduct. However, it declined to accept Superintendent Snow's recommendation that she be terminated, and instead reduced the penalty to a one-semester suspension for the start of the 2023-2024 school year.

On February 7, 2024, Williams sued, alleging that the

school district: (1) discriminated against her based on her gender in violation of Title VII and the ACRA; and (2) retaliated against her in violation of Title VII and the ACRA. On December 10, 2024, the district filed the instant motion for summary judgment.

In its discussion, the court considered whether the defendant is entitled to summary judgment as to the plaintiff's gender discrimination claim; and (2) whether the defendant is entitled to summary judgment as to the plaintiff's retaliation claim.

Regarding the gender discrimination claim, the court considered the burden-shifting framework established in *McDonnell Douglas Corp. v. Green* in order to establish a prima facie case of gender discrimination

To do so, she must demonstrate that: "(1) [she] is a member of a protected class; (2) [she] was qualified to perform her job; (3) [she] suffered an adverse employment action; and (4) [she] was treated differently from similarly situated males." *Hesse v. Avis Rent A Car Sys., Inc.*, 394 F.3d 624, 631 (8th Cir. 2005).

"The court will start with the fourth element of gender discrimination—whether the plaintiff is similarly situated to Coach Potts or the other male coaches," it wrote. "If the plaintiff is unable to establish that she was similarly situated to the male coaches as she alleges, she will be unable to make a prima facie case for gender discrimination, and her claim will fail."

The court dissected each contention from the plaintiff, finding that she "fails to provide evidence that she is similarly situated with the comparators in all relevant respects." Further, she "does not share job duties with the comparators, she does not share a supervisor with the comparators, and she fails to show that they engaged in the same conduct without mitigating or distinguishing circumstances."

Thus, even "viewing the facts presented by the plaintiff in the light most favorable to her as the non-moving party, a reasonable fact finder could not conclude that the plaintiff and the comparators were similarly situated. Thus, the plaintiff has failed to allege facts sufficient to support the fourth element of her prima facie discrimination claim, and her claim fails as a matter of law."

In sum, "her claim for gender discrimination under Title VII and the ACRA must fail as a matter of law."

As for the retaliation claim, The court considered whether Williams "was retaliated against when Defen-

dant allegedly ignored her reports that her son was being bullied and replaced her job position when she was suspended, resulting in her constructive termination."

The court found that Williams "failed to establish a claim for retaliation. The court first notes that the parties seem to presume that the plaintiff's testimony during her appeal hearing regarding allegedly disparate treatment was protected activity under Title VII. Assuming, without determining, that the testimony was protected conduct, the plaintiff nonetheless fails to show that any adverse employment action taken against her was causally connected to that testimony or that she was constructively discharged. There is no evidence that the plaintiff's first asserted means of retaliation, the defendant ignoring that students were bullying her son, had any bearing on her employment conditions and cannot be viewed as an adverse employment action.

"Next, there is no evidence that the defendant's elimination of the plaintiff's position as a special education aide was causally connected to her hearing testimony. The plaintiff's testimony at the hearing occurred after the termination recommendation, demonstrating that an adverse employment action was sought prior to her testimony. Further, the plaintiff relies entirely on assumption when drawing a connection between her being replaced in her former special education position and her complaints of disparate treatment during the appeal hearing. That the change in position occurred after her testimony is insufficient on its own to create an inference of causality."

The plaintiff also "failed to give the defendant reasonable time to resolve the alleged intolerable working condition—the loss of her position as a special education aide and prevention of employment in special education—before she resigned. It is undisputed that the plaintiff did not report to Superintendent Snow or the district school board and notify them of the intolerable working condition. The plaintiff attempts to argue that it would not have helped to speak with Superintendent Snow. However, 'part of an employee's obligation to be reasonable . . . is an obligation not to assume the worst and not jump to conclusions too fast.' *Hesse v. Avis Rent A Car Sys., Inc.*, 394 F.3d 624, 631 (8th Cir. 2005)

"Further, she provides no explanation for failure to notify the district school board. Thus, the court finds that the plaintiff failed to give the defendant a reasonable

opportunity to resolve the problem which prevents her from alleging constructive discharge.”

Even if the plaintiff “could establish her prima facie case, she has failed to present any evidence that the defendant’s explanation for replacing her was pretextual. The defendant presents a legitimate reason for replacing her: that someone needed to work in that special education position during the plaintiff’s suspension and that it

would be unreasonable and counterproductive to fire that individual after one semester. The plaintiff has provided no argument or evidence to dispute that explanation. Accordingly, the plaintiff has failed to establish a prima facie case of retaliation.”

Angelia Williams v. Harmony Grove School District; W.D. Ark.; Case No. 1:24-cv-01009; 2/27/25

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Header Restriction Policy in Youth Soccer Shows Promising Impact on Concussion Rates

A new study presented at the 2025 Annual Meeting of the [American Academy of Orthopaedic Surgeons](#) (AAOS) examined the impact of a policy implemented by the United States Soccer Federation (USSF) to address youth players heading the soccer ball. Researchers found that the policy was associated with a decrease in soccer-related concussions; however, female players experienced a higher proportion of concussions than their male counterparts.

Soccer is one of the most popular youth sports in the United States and worldwide, and it’s estimated that 3.9 million children play organized soccer in the U.S. each year.^{[i],[ii]} The incidence of [concussions](#) in youth soccer is estimated to be 0.19 to 0.28 per 1,000 athletic exposures^[iii] or 0.5 concussions per 1,000 playing hours.^[iv] Soccer-related concussion injury mechanisms include accidental contact with another player or field equipment, such as a goal post or the field, and intentional contact between the head and the ball in a technique called a header. Because of growing concerns regarding repeated head trauma, in 2016, the USSF banned headers for athletes under the age of 10 and limited athletes aged 11 to 13 to practicing headers for 30 minutes per week.

“We wanted to assess the impact of this policy on our patients,” said Eugenia Lin, MD, resident at Mayo Clinic Arizona. “While policies are important, we don’t always have the data to determine the effectiveness. This study aimed to analyze the long-term implications of the policy across different age groups, especially in light of growing concerns about traumatic brain injury and chronic traumatic encephalopathy, a progressive brain disease linked to repeated head injuries, in contact

sports like football.”

“[Pediatric Concussion Injuries in Soccer: Emergency Department Trends in the United States from 2012 to 2023](#)” is an epidemiological analysis utilizing data from the National Electronic Injury Surveillance System (NEISS) to analyze trends in soccer-related injuries relative to other injuries from soccer. The research team identified a 25.6% relative risk reduction in soccer-related concussions as a percentage of all soccer-related injuries presenting to the emergency department between 2020 to 2023 compared to 2012 to 2015.

Further breakdown of the data revealed distinct concussion trends pre- and post-policy implementation periods and concussion trends from 2012 to 2023 based on age and gender, providing insight into the policy’s differential impact across demographic subgroups. Highlights include:

Concussions according to time frame

- Prior to the policy being enacted, there was an 8% proportion of concussions from 2012 to 2015.
- From 2020 to 2023, the proportion of concussions in relation to other injuries decreased to 6%, noting a relative risk reduction between time periods.

Concussions according to age

Soccer-related injuries and concussions were stratified by three age cohorts from 2012 to 2023 and data demonstrated an increase in soccer-related injuries and concussions as players got older.

- There were 8,793 total soccer-related injuries and 431 concussions (4.9%) in players 6- to 9-years-old.
- A total of 23,275 soccer-related injuries were reported

in players 10- to 13-years-old, of which 1,527 were concussions (6.6%).

- A total of 26,907 soccer-related injuries were reported in players 14- to 17-years-old, of which 2,397 were concussions (8.9%).

Concussions according to gender

- Female players experienced fewer overall soccer-related injuries than male players, but a greater proportion of their injuries were concussions.
- Female players presented to the emergency department for 21,040 soccer-related injuries between 2012 and 2023, of which 2,010 were concussions (9.6%).
- Male players were seen for 37,935 soccer-related injuries, of which 2,345 were concussions (6.2%).
- The proportion of concussion diagnoses for both male and female players was lowest in 2023, at 4.3% and

7.8%, respectively. The highest annual proportion of concussion diagnoses was 8.4% for male players and 10.5% for female players, both in 2012.

“Although not all concussions result from headers, a measurable percentage still do, and it is encouraging to observe a trend indicating a decline in concussion rates,” said Anikar Chhabra, MD, MS, FAAOS, senior author, associate professor and director of Sports Medicine at Mayo Clinic Arizona. “While we cannot attribute this reduction solely to policy changes, these data suggest that these regulations may positively impact different age groups and time periods. Now that physicians, athletic trainers, coaches and parents understand the long-term implications of concussions, it is crucial to continue refining and reinforcing evidence-based policies that prioritize player safety and injury prevention.”

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DOJ Takes Action ‘to Enforce Title IX in California (and) Protect Girls’ Sports’

(What follows is the DOJ’s press release):

The Justice Department has sent letters of legal notice to California AG Rob Bonta, State Superintendent of Public Instruction Tony Thurmond, Jurupa Unified School District, and the California Interscholastic Federation (CIF) that it is opening an investigation to determine whether Title IX, a landmark federal civil rights law, is being violated by AB 1266, a state law permitting males to participate on female sports teams at state schools.

The investigation is to determine whether California, its senior legal, educational, and athletic organizations, and the school district are engaging in a pattern or practice of discrimination on the basis of sex.

The letters of legal notice were sent at the time the Justice Department filed a statement of interest in federal court in support of a lawsuit filed by and on behalf of girls’ athletes to advance the appropriate interpretation of Title IX to ensure equal educational opportunities and prevent discrimination based on sex in federally funded schools and athletic programs.

The statement of interest is part of a national effort by the President, the AG, and the Justice Department to oppose the deprivation of women and girls of fair

athletic opportunities.

“Title IX exists to protect women and girls in education. It is perverse to allow males to compete against girls, invade their private spaces, and take their trophies,” said Harmeet K. Dhillon, Assistant AG for Civil Rights. “This Division will aggressively defend women’s hard-fought rights to equal educational opportunities.”

“The law is clear: Discrimination on the basis of sex is illegal and immoral,” said United States Attorney Bill Essayli. “My office and the rest of the Department of Justice will work tirelessly to protect girls’ sports and stop anyone – public officials included – from violating women’s civil rights.”

According to the allegations in the lawsuit, *Save Girls’ Sports, et al. v. Thurmond, et al.*, AB 1266 – passed by the California State Legislature and codified in the California Education Code – conflicts with Title IX. AB 1266 unlawfully permits males to participate on female sports teams and to use female spaces, resulting in unfair and unsafe environments for women and girls.

The lawsuit alleges that this California statute “is harming hundreds – if not thousands – of female students by removing opportunities for female athletes to be

champions in their own sports, robbing them of podium positions and awards, and creating unsafe and intimidating environments in their bathrooms and locker rooms.”

The plaintiffs include K.S., a ninth-grade female cross-country athlete and T.S., an 11th-grade female cross-country athlete and team captain, both of whom attend Martin Luther King HS in Riverside.

T.S. was removed from her position of the girls’ varsity cross-country team to make room for a biological male athlete who did not consistently attend practices and failed to satisfy many of the team’s varsity eligibility requirements. As a result, T.S. missed the opportunity to compete at a high-profile meet, lost the right to compete on the varsity level, and missed the opportunity to compete with elite fellow athletes to be recruited by universities and receive other forms of recognition.

The biological male who replaced T.S. on the girls’

varsity cross-country team recently had transferred from another local high school after breaking that school’s all-time cross-country record for the girls’ cross-country team.

The lawsuit further alleges that the Riverside Unified School District, Martin Luther King High School’s principal, and its assistant principal and athletic director violated the constitutional rights of T.S. and K.S. when it ordered them to stop wearing t-shirts protesting T.S.’s removal from the team.

The plaintiffs are seeking declaratory and injunctive relief related to the defendants’ speech policy and rules governing participating in girls’ sports.

Assistant United States Attorney Richard Park of the Civil Division’s Civil Rights Section is handling this matter.

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WRESTLER

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The Court recognized that Knox did not have a general constitutional right to participate in high school sports, but because of the importance of high school sports and fair process, this Court found that Knox would face irreparable harm by being disqualified.

There is no question that Anthony Knox, Jr. is a very special high school wrestler. Competing for Saint John Vianney High School (SVJ) in New Jersey, he has consistently been ranked as number one in the country in the 126-pound class for four years. He had won three consecutive New Jersey State Championships. His accolades include: USA Wrestling Athlete of the Week; 2021 16U National Championship; and 2024 runner-up at the U20 World Team Trials.¹ Knox is currently ranked No. 1 at 126 lbs. in the 2024-25 Sports Illustrated National High School Wrestling Rankings.²

Knox knows what he wants, “I want to be that guy that people look at and they mention for years in the

future... I want to be the standard. I want to have awards in my name. I want to have all this stuff, right? So I think that”’s more important to me than what people think about who’s the best ever. I just want people to realize that I’m a (expletive) dog.”³ He was on-track and was attempting to become only the fifth four-time state champion in the 107-year history of the New Jersey State Interscholastic Athletic Association (NJSIAA).

But then came the New Jersey District 25 tournament at Collingswood High School on February 22, 2025. The NJSIAA had recently realigned the sectional competitions, and some blamed realignment as powerhouse parochial schools dominated tournaments.⁴ That was the case at the District 25 tournament where SVJ won the first nine weight classes. When SVJ finally lost the crowd erupted, and then suddenly a chaotic brawl broke out in the stands between about two dozen fans from SVJ fans and West Deptford.⁵ Fights between fans in the stands

1 Gary Abbott, Anthony Knox Named USA Wrestling Athlete of the Week Presented by U.S. Air Force Special Warfare, (2024), <https://www.themat.com/news/2024/october/02/anthony-knox-named-usa-wrestling-athlete-of-the-week-presented-by-u-s-air-force-special-warfare> (last visited Mar 10, 2025).

2 Billy Burkheit, 2024-25 National High School Wrestling Rankings (2/21/2025), (2025), <https://www.si.com/high-school/wrestling/2024-25-national-high-school-wrestling-rankings-2-21-2025-01jmmjjdbbte> (last visited Mar 23, 2025).

3 Jake Aferiat, The Rise and Sudden Fall of New Jersey’s Greatest Wrestler, (2025), <https://www.nj.com/highschoolsports/2025/02/the-rise-and-sudden-fall-of-new-jerseys-greatest-wrestler.html> (last visited Apr 2, 2025).

4 Rick Fortenbaugh, All Hell Broke Loose in District 25 Wrestling at Collingswood High, (2025), <https://www.trentonian.com/2025/02/24/rick-fortenbaugh-all-hell-broke-loose-in-district-25-wrestling-at-collingswood-high/> (last visited Mar 18, 2025).

5 Joe Zedalis, Wrestling Champ ‘Repeatedly’ Punched a Minor in Head during

during wrestling events have been well documented.⁶

Collingswood athletic director Colleen Harte reportedly confirmed that two people were arrested after the melee, which involved at least one athlete.⁷ Harte did not disclose the identities of the two, but it was reported that individuals were Anthony Knox Sr. and Anthony Knox, Jr.⁸ Harte went on to say, “There was an incident in the stands between a parent and an athlete and another group of parents and athletes... We had staff there. Police and staff separated them. Two people were taken and arrested. We tried to clear the affected side of the gym and that didn’t work and so we cleared the entire gym.”⁹

Knox, Sr., a former MMA fighter¹⁰ blamed the West Deptford fans and was quoted as saying, “I saw a bunch of grown men yelling racial slurs at kids that I’ve been training since they were 6 years old, cursing at my son, cursing at my wife... As a man, I walked over, walked up

into the stands, and asked the guy to stop. At that point, I was assaulted. Never threw a punch. Never hurt anybody. Never ran up there like a bat out of hell, just throwing punches at people. None of that happened. I got pushed down the bleachers. I could have gotten seriously injured. Then I got surrounded by about 10 other families.”¹¹ Investigations by the NJSIAA and West Deptford school district into allegations that West Deptford fans made racist and vulgar remarks to be unsubstantiated. West Deptford superintendent Brian Gismondi said, “there is absolutely no evidence or testimony supporting these serious and defamatory allegations” directed against fans of the school’s wrestling team.¹²

News reports and videos showed that Knox, Jr. left the bench area and ran into the stands following his father.¹³ Knox, Jr. explained his actions, “The protection of my family is the No. 1 thing to me... If I had a choice of protecting my family or never wrestling a match again, I would choose protecting my family every single time. I felt that my family’s lives and well being well-being were at risk, and that’s why I stepped in.”¹⁴ NJSIAA rules stipulate that “any player that leaves the bench area during an altercation, regardless of whether the player engages in the altercation, shall be disqualified,” meaning any wrestler who was identified in the melee would be disqualified for the rest of the season.¹⁵

Citing that there was “uncontradictory video evidence” that showed Knox, Jr. entering the stands and throwing a punch during the fight, NJSIAA executive director Colleen Maguire suspended Knox, Jr. for the rest of the season. Maguire said, “Earlier today, I informed the Saint John Vianney High School administration that the student-athlete wrestling in the 126lb weight class has been disqualified from the NJSIAA wrestling state tournament... I have determined that the disqualified student-athlete violated both the Association’s sportsmanship policy and its disqualification rule for leaving

Ugly Brawl, Police Say, (2025), <https://www.nj.com/highschoolsports/2025/03/wrestling-champ-repeatedly-punched-a-minor-during-ugly-brawl-police-say.html> (last visited Mar 25, 2025).

6 Eli McKown, Fans Told to Leave Gym during Southeast Polk vs. Ankeny Wrestling Dual, (2025), <https://www.desmoinesregister.com/story/sports/high-school/2025/01/10/southeast-polk-vs-ankeny-wrestling-dual-fans-asked-to-leave-empty-gym/77593458007/> (last visited Mar 18, 2025). See also, Hannah Kaufman, Spectators Confront Coach during Cony-Madison Wrestling Match, (2025), <https://www.centralmaine.com/2025/01/28/spectators-confront-coach-during-cony-madison-wrestling-match/> (last visited Mar 18, 2025); Tommy Lopez, Video Shows Brawl at New Mexico High School Wrestling Meet, (2024), <https://www.kob.com/new-mexico/albuquerque-metro/video-shows-brawl-at-new-mexico-high-school-wrestling-meet/> (last visited Mar 18, 2025); Tommy Lopez, Video Shows Brawl at New Mexico High School Wrestling Meet, (2024), <https://www.kob.com/new-mexico/albuquerque-metro/video-shows-brawl-at-new-mexico-high-school-wrestling-meet/> (last visited Mar 18, 2025); John Wendt, Wrestling Fanatics: Referee Clears Gym, Legal Controversy Ensues, Sports Facilities and the Law, Volume 9, Issue 4, (January - February, 2025) (Feb. 21, 2025), <https://sportslitigationalert.com/wrestling-fanatics-referee-clears-gym-legal-controversy-ensues/> (last visited Mar 18, 2025).

7 Shore News Network, Massive Brawl Erupts at New Jersey High School Wrestling Match; Father of Star Wrestler Taken out in Cuffs, (Feb. 24, 2025), <https://www.shorennewsnetwork.com/2025/02/24/massive-brawl-erupts-at-new-jersey-high-school-wrestling-match-father-of-star-wrestler-taken-out-in-cuffs/> (last visited Mar 18, 2025).

8 Steve Overmyer, Top N.J. High School Wrestler Anthony Knox Vows to Fight His Ban for Role in Brawl - CBS New York, (2025), <https://www.cbsnews.com/newyork/news/new-jersey-wrestler-anthony-knox-jr-banned-from-state-tournament/> (last visited Mar 7, 2025). See also, Brian Deakyne, Father of 3-Time State Wrestling Champ Led Away in Handcuffs after Brawl at State Tourney, (2025), <https://www.nj.com/highschoolsports/2025/02/father-of-3-time-state-wrestling-champ-led-away-in-handcuffs-after-brawl-at-state-tourney.html> (last visited Apr 1, 2025). See also, Shore News Network, supra note 7. See also, John Beisser, Chaos at NJ District 25 Wrestling Tournament; Father of Nationally Ranked Wrestler Arrested After A Brawl, High School On SI (2025), <https://www.si.com/high-school/new-jersey/chaos-at-nj-district-25-wrestling-tournament-father-of-nationally-ranked-wrestler-arrested-after-a-brawl-01jmtxy23aar> (last visited Mar 18, 2025).

9 Deakyne, supra note 8.

10 Rich Fisher, SJV’s Knox Gains Strength from Bible before Winning State Wrestling Title, Whitewater Publishing (2022), <https://trentonmonitor.com/news/2022/mar/15/sjvs-knox-gains-strength-from-bible-before-winning/> (last visited Mar 18, 2025).

11 Overmyer, supra note 8.

12 Tom McGurk, Investigations: No Findings of Racial, Vulgar Remarks by West Deptford Fans Leading to Brawl, Courier-Post (2025), <https://www.courierpostonline.com/story/sports/high-school/wrestling/2025/02/28/nj-wrestling-fight-west-deptford-anthony-knox-district-25-njsiaa/80835636007/> (last visited Mar 7, 2025).

13 Overmyer, supra note 8. See also, Ryan Patti, Star Wrestler’s Historic Quest Back on after Reinstated by Judge, nj (2025), <https://www.nj.com/highschoolsports/2025/02/judge-finally-makes-ruling-on-star-wrestler-banned-from-state-tourney-is-he-in-or-out.html> (last visited Mar 25, 2025).

14 Overmyer, supra note 8.

15 Beisser, supra note 8.

the bench area during an altercation... I did not make this decision lightly. I am fully aware of the consequences to the student-athlete. He is a senior and this disqualification effectively ends his high school career. However, my role is to uphold the integrity of high school athletics by ensuring that all participants adhere to the same rules and are held to the same standards of sportsmanship and safety. Let it be clear, the Association cannot, and will not, condone actions that violate its sportsmanship policy or its member school approved rules.”¹⁶ In a statement St. John Vianney said that it respected the decision of the NJSIAA, that the school does not condone violence of any kind, and that the incident was not indicative of what the school or wrestling program principles.¹⁷

Knox, Jr. responded saying, “As many of you know I have been disqualified from my next two matches due to an unfortunate incident that occurred in the stands at Collingswood HS well after I had finished competing at the district tournament. Like anyone, my only concern at that time was protecting the safety of my family. While I respect the NJSIAA’s decision, my family and I are currently reviewing our options to determine the best course of action moving forward... No matter what happens next, I will continue to train, compete, and push myself to be the best wrestler and person I can be as I continue my career onward at Cornell University.... I’m more motivated than ever and excited to prove to everyone what I already know, that I’m the best there is.”¹⁸

Then the Knox’s filed for a temporary restraining order that would allow Knox, Jr. to compete. They argued that Knox, Jr.’s suspension came without notice and violated the Due Process Clause of the 14th Amendment.¹⁹ They

also argued that Knox, Jr. didn’t leave the bench area, because that area was not defined; that “sportsmanship” was only defined in a proposal; and that the equities were in Knox, Jr.’s favor. On February 27, 2025, just a few hours before the regional competition was to begin Judge Patrick J. Bartels granted the order finding that, “Violating fundamental fairness provides irreparable harm. Because of the importance of high school sports and fair process, this Court finds Plaintiff (Knox, Jr.) faces

irreparable harm by being disqualified. Although New Jersey courts generally abstain from intervening in decisions of voluntary associations, this Court finds it appropriate to step in. High school sports serve an important place in society and must remain above reproach.”²⁰

The Court recognized that Knox, Jr. did not have a general constitutional right to participate in high school sports. But also noted that based on the record the NJSIAA never contacted Knox, Jr. before sending him his disqualification notice, and the disqualification notice defied “general notions of public policy and fundamental process. Procedural due process requires notice of allegations and opportunity to respond to allegations.”²¹ Finally

the Court noted that “Given the prominent role high school athletics play in society, this Court acknowledges irreparable harm to someone at the pinnacle of his high school career. Preserving Plaintiff’s disqualification also tarnishes his reputation, which is not compensable. Denying any notice to Plaintiff impacts future students who spend their lives training and preparing for such moments.”²² The New Jersey Superior Court Appellate Division denied NJSIAA’s appeal on March 5, 2025.²³

**Citing that there was
“uncontradictory
video evidence”
that showed Knox,
Jr. entering the
stands and throwing
a punch during
the fight, NJSIAA
executive director
Colleen Maguire
suspended Knox, Jr.
for the rest of the
season.**

John Vianney High School and Collingswood Board of Education, Superior Court of New Jersey, Chancery Division, Mercer County, Order Granting Order to Show Cause, Docket: MER-C-17-25, February 28, 2025.

20 Id. p.16.

21 Id. p.17

22 Id.

23 Joe Zedalis, Dad of Star Wrestler Tried to ‘Kick and Stomp’ Spectator during Brawl, N.J. Cops Say, nj (2025), <https://www.nj.com/highschoolsports/2025/03/dad-of-star-wrestler-tried-to-kick-and-stomp-spectator-during-brawl-nj-cops->

16 John Beisser, Anthony Knox, The Nation’s Top-Ranked Wrestler, Reacts to His Disqualification After NJSIAA State Tournament, High School On SI (2025), <https://www.si.com/high-school/new-jersey/nation-s-no-1-ranked-hs-wrestler-disqualified-from-nj-state-tournament-for-his-role-in-brawl-01jmnknk950> (last visited Mar 7, 2025).

17 Overmyer, supra note 8.

18 Beisser, supra note 16.

19 Anthony Knox, Jr. v. New Jersey State Interscholastic Athletic Association; St.

At the Regional Tournament Knox, Jr. was escort and after he won his match., Vianney SJV coach Chris Notte said, “He was professional... He came here. He got the job done and he went home with good sportsmanship.”²⁴ At the State Tournament he won his first two contests by technical fall and then scored three straight major decisions to win the New Jersey State Championship for the fourth time.²⁵ Interviewed after the Championship, Knox, Sr. briefly said, “I don’t even want to talk about that stuff anymore, man... It was a hard fought battle, and I’m really happy he won” while Knox, Jr. said, “No comment...”²⁶ Finally, one reporter commenting on the Championship said, “The referee raised Anthony Knox Jr.’s right fist in the air on Saturday afternoon as a state champion — the same fist, police say, that the wrestler used to ‘repeatedly’ punch a minor” at the district tournament just two weeks previously.²⁷ Right after Knox, Jr. won, he ran again into the stands – this time to hug his attorney.²⁸

say.html (last visited Apr 1, 2025).

24 Steven Falk, Is There Any Stopping SJV Wrestler Anthony Knox? How He Did in 1st Bout after Court Reprieve, Asbury Park Press (2025), <https://www.app.com/story/sports/high-school/wrestling/2025/02/28/saint-john-vianney-shore-new-jersey-anthony-knox-wins-first-wrestling-bout-after-judge-overturns-ban/80693929007/> (last visited Mar 8, 2025).

25 Zach Miller, Joe Ragozinno & Ryan Rivero, NJ State Wrestling Tournament 2025: Live Results, (2025), <https://www.app.com/story/sports/high-school/wrestling/2025/03/06/nj-state-wrestling-tournament-2025-live-results/80738628007/> (last visited Mar 30, 2025).

26 Sara Winick, NJ Wrestling Champ’s Dad Tried To Stomp Spectator On Ground, Cops Say | Holmdel, NJ Patch, (2025), <https://patch.com/new-jersey/holmdel-hazlet/nj-wrestling-champ-s-dad-tried-stomp-spectator-ground-cops-say> (last visited Apr 2, 2025).

27 Steve Politi, Anthony Knox Jr.’s Tainted Wrestling Title Epitomizes All That’s Wrong in High School Sports, (2025), <https://www.nj.com/highschoolsports/2025/03/anthony-knox-jrs-tainted-wrestling-title-epitomizes-all-thats-wrong-in-high-school-sports-politi.html> (last visited Mar 10, 2025).

28 Id. See also, Varsity Aces [@VarsityAces], Posted with Permission. Bergen

The NJSIAA still stands by the decision to disqualify Knox, Jr. and noted that they still are involved in the litigation with a counterclaim.²⁹ It was reported that the NJSIAA could vacate Knox’s championship title.³⁰ Knox, Jr. has chosen to continue his career at Cornell.

On March 6, 2025, Collingswood police charged Knox, Jr. with simple assault and purposely/knowingly causing bodily injury.³¹ A Collingswood police officer stated that he witnessed Knox, Jr. punch a minor “about the face and head repeatedly” and that the blows from “Knox resulted in bruising and pain to the right temple area” of the minor.³² Knox, Sr. was charged on March 10, 2025 also with simple assault and purposely/knowingly causing bodily injury. Allegedly Knox, Sr. assaulted a spectator who fell to the gym floor at the bottom of the bleachers where Knox, Sr. attempted to kick and stomp him numerous times.³³

County Lawyer Extraordinaire Patrick J. Jennings with 4x State Champ Anthony Knox (Vianney). <https://t.co/o7YQIV1HvL>, Twitter (2025), <https://x.com/VarsityAces/status/1898498324497334390> (last visited Mar 30, 2025).

29 Jake Aferiat, NJSIAA Stands by Decision to DQ Star Wrestler, Says ‘Grave Concern’ Caused by Judge Ruling, nj (2025), <https://www.nj.com/highschoolsports/2025/04/njsiaa-stands-by-decision-to-dq-star-wrestler-says-grave-concern-caused-by-judge-ruling.html> (last visited Apr 3, 2025).

30 McGarry, NJSIAA Could Strip Anthony Knox Jr. of His Championship, (2025), https://pressofatlanticcity.com/sports/high-school/article_1bafebc2-28b4-4052-8d10-3b67dd65cddc.html?utm_medium=social&utm_source=twitter&utm_campaign=user-share (last visited Apr 3, 2025).

31 Brian Deakne, N.J. Cops Charge Star Wrestler for His Involvement in Ugly Brawl, Court Docs Show, nj (2025), <https://www.nj.com/highschoolsports/2025/03/nj-cops-charge-star-wrestler-for-his-involvement-in-ugly-brawl-court-docs-show.html> (last visited Mar 25, 2025).

32 Zedalis, supra note 5. See also, Paul Steinbach, Star Wrestler Charged With Simple Assault Ahead of NJ State Championships, Athletic Business (2025), <https://www.athleticbusiness.com/operations/legal/article/15739197/star-wrestler-charged-with-simple-assault-ahead-of-nj-state-championships> (last visited Mar 23, 2025).

33 Winick, supra note 26.

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TITLE IX

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On May 2, 2024, the United States District Court for the Eastern District of North Carolina issued a pivotal decision in *Doe v. Nash County Board of Education*, providing critical clarification on the scope of institutional liability under Title IX of the Education Amendments of 1972. The ruling addresses the standards of actual notice and deliberate indifference for claims involving teacher-on-student sexual misconduct, along

with related claims under 42 U.S.C. § 1983 and the North Carolina Constitution. The decision represents a significant development in the evolving jurisprudence of sexual harassment in educational settings, emphasizing the responsibilities of school officials and the procedural hurdles plaintiffs must overcome to state viable federal and state claims.

FACTUAL BACKGROUND

John Doe, a minor student, alleged he was sexually harassed by his teacher, Mr. Johnson, during the 2022–2023 academic year. According to the complaint, Doe’s mother raised early concerns about Johnson’s inappropriate behavior to numerous school staff and board members, including then-current Principal Daniel Colvin. These issues included sexually explicit messages that Johnson sent Doe over text and social media as well as at least one instance where Johnson offered Doe money for oral sex and touched Doe in numerous places. She later escalated her concerns to Board Superintendent Steven Ellis. Despite these warnings, the school failed to investigate adequately or restrict Johnson’s access to Doe.

Rather than removing Johnson or initiating a formal investigation, the school district transferred Doe to another school where he was taught by Johnson’s wife. This transfer occurred without any protective measures or transparency. The Board did not suspend Johnson until the Spring of 2023 after law enforcement became involved. Doe alleges that this inaction allowed the harassment to continue and constituted a failure to uphold the school’s duty to protect its students under Title IX and other legal frameworks. The suit brought multiple claims: Title IX sex discrimination and retaliation against the Board, supervisory liability under §1983 against Colvin and Ellis, and a state constitutional claim for violation of Doe’s right to education.

TITLE IX FRAMEWORK AND THE COURT’S RULING

Title IX prohibits sex-based discrimination in any educational program or activity receiving federal financial assistance. Courts have recognized that sexual harassment, including teacher-on-student misconduct, can constitute such discrimination. However, under *Gebser v. Lago Vista Indep. Sch. Dist.*, a school district is only liable if a school official with authority to address the discrimination has actual knowledge of the harassment

and responds with deliberate indifference.

Here, the court determined that Doe sufficiently alleged that both Colvin and Ellis were “appropriate persons” under *Gebser*. They were both officials with the authority to take corrective action. The complaint recited specific instances where Doe’s mother alerted Colvin and Ellis about the conduct, including emails and in-person meetings. These allegations, if true, met the threshold for actual knowledge.

Moreover, the court found that the district’s response, or lack thereof, could plausibly amount to deliberate indifference. Despite having notice, the school permitted Johnson to continue interacting with Doe, failed to conduct a timely investigation, and ultimately transferred Doe without addressing the underlying allegations. The court concluded that these allegations, viewed in the light most favorable to the plaintiff at the motion-to-dismiss stage, stated a viable Title IX sex discrimination claim.

RETALIATION UNDER TITLE IX

Doe also asserted a Title IX retaliation claim, alleging that the school retaliated against him by ostracizing him, limiting academic support, and isolating him from peers after his mother reported the misconduct. Retaliation claims under Title IX require the plaintiff to show: (1) engagement in protected activity, (2) adverse action, and (3) a causal link between the two.

The court dismissed the claim, primarily on standing grounds. It held that Doe himself had not engaged in a protected activity, his mother did. The court reaffirmed the principle that third-party retaliation claims under Title IX are generally disallowed unless the individual asserting the claim personally engaged in protected conduct. The court also noted that the complaint failed to identify a materially adverse action taken by the school in response to the report, as opposed to general social or academic consequences not directly traceable to school policy or conduct.

This dismissal aligns with other federal court decisions



narrowly construing Title IX's retaliation protections and highlights a limitation for minor students who rely on parental advocacy.

SECTION 1983 CLAIMS AND SUPERVISORY LIABILITY

Doe's claims under § 1983 alleged that Colvin and Ellis, in their supervisory roles, were deliberately indifferent to constitutional violations arising from Johnson's conduct. Specifically, Doe contended that the administrators had a duty to prevent the teacher's misconduct and failed to intervene, thereby violating his right to bodily integrity under the Fourteenth Amendment.

The court applied the supervisory liability standard articulated in *Shaw v. Stroud*, which requires (1) actual or constructive knowledge that subordinates were engaged in pervasive misconduct, (2) a response amounting to deliberate indifference or tacit authorization, and (3) an affirmative causal link between the supervisor's inaction and the constitutional injury.

The court held that the allegations were insufficient to establish supervisory liability. It found no factual basis to infer a pattern of prior misconduct by Johnson that would have alerted Colvin or Ellis to a pervasive risk. Absent such a pattern or history, the isolated incident, even if egregious, was not enough to satisfy the *Shaw* standard.

This aspect of the decision reinforces the difficulty plaintiffs face in asserting § 1983 supervisory claims absent a documented history of complaints or misconduct that supervisors ignored.

STATE CONSTITUTIONAL CLAIM: A LIMITED PATH FORWARD

Finally, Doe asserted a claim under Article I, Section 15 of the North Carolina Constitution, which guarantees the right to a public education. The court permitted this claim to proceed against the Board of Education, recognizing that direct state constitutional claims may lie when no adequate alternative remedy exists. The court cited *Corum v. University of North Carolina*, in support of this exception to sovereign immunity.

Since Doe had no available state law tort claim due to governmental immunity and no statutory remedy for violation of the constitutional right to education, the court allowed the constitutional claim to move forward. However, claims against Johnson in his individual capac-

ity were dismissed, as the North Carolina Constitution does not authorize personal liability for such violations.

This holding underscores a narrow but important avenue for students in North Carolina to seek redress for constitutional harms when traditional tort claims are procedurally barred.

IMPLICATIONS AND COMMENTARY

The Doe decision serves as a compelling reminder of the obligations school districts face under federal and state law when addressing allegations of sexual harassment. While Title IX does not impose strict liability for the misconduct of employees, once officials with authority are put on notice, they are constitutionally and statutorily bound to act. The court's refusal to dismiss the Title IX discrimination claim signals a growing judicial awareness of institutional failures in responding to student safety concerns.

The decision also illuminates legal gaps in protecting minor students from retaliation and in holding individual administrators accountable under § 1983. Although the court emphasized procedural and doctrinal barriers, the underlying facts, if substantiated, paint a picture of systemic neglect. The continued viability of the state constitutional claim may provide some measure of accountability and potentially catalyze broader reform.

For school districts, this case is a cautionary tale: institutional complacency in the face of sexual misconduct allegations may not only expose the district to litigation but also perpetuate harm. Effective Title IX compliance demands proactive investigation, clear documentation, and a willingness to remove potentially dangerous individuals from student-facing roles pending inquiry.

CONCLUSION

The court's decision in *Doe v. Nash County Board of Education* adds a significant chapter to the legal landscape of student protections under Title IX. It delineates the standards for institutional liability with precision, while simultaneously identifying the structural limitations of federal claims for retaliation and supervisory neglect. By preserving the plaintiff's core claim and constitutional cause of action, the court has opened the door for further factual development and underscored the enduring need for vigilance in safeguarding students from abuse.

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