



Court Report

Education Law News You Can Use

October 20, 2025

Sixth Circuit (KY, MI, OH, TN) Upholds Michigan Middle School's Ban on "Let's Go Brandon" Sweatshirts

Two Michigan middle school students wore sweatshirts bearing the slogan "Let's Go Brandon," which emerged in late 2021 as a euphemism for "F— Joe Biden." The assistant principal ordered the students to remove the sweatshirts or face punishment, citing a dress code rule prohibiting profane messaging. The U.S. Court of Appeals for the Sixth Circuit concluded that school officials could reasonably interpret the slogan as vulgar, and that schools may restrict student speech understood as profane to preserve civility in the educational environment, even when the message is political and euphemistic. A dissenting judge contended that the phrase constituted political speech entitled to protection, warning that the majority's approach gave schools too much discretion to label controversial political messages as vulgar and suppress them without showing disruption.

Tenth Circuit (CO, KS, NM, OK, UT, WY) Rejects Religious Challenge to Colorado's Nondiscrimination Rule for Universal Preschool

The U.S. Court of Appeals for the Tenth Circuit upheld Colorado's requirement that all preschools participating in the state's universal preschool program agree not to discriminate based on sexual orientation or gender identity. Two Catholic parishes and the Archdiocese of Denver challenged the rule, arguing that it forced them to choose between state preschool funding and adherence to their religious beliefs. The Tenth Circuit held that Colorado's nondiscrimination requirement is a neutral and generally applicable law that applies equally to all participating schools, religious and secular alike. Applying rational basis review, the court found that the state's interest in ensuring equal access to publicly funded preschool was legitimate and that applying the rule uniformly to all providers was rationally related to that goal. The court also rejected the schools' claim that the requirement violated their right of expressive association, concluding that enrolling preschool-aged children — even those with same-sex or transgender parents — would not significantly interfere with the schools' ability to express their religious beliefs.

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California Federal Judge Issues TRO Halting Federal Shutdown-Related Layoffs

During the October 2025 federal government shutdown, agencies began issuing mass reduction-in-force (RIF) notices to thousands of federal employees. Unions representing affected employees sued the Office of Management and Budget (OMB) and other agencies, alleging that the layoffs were politically motivated after the President made public statements suggesting the layoffs were aimed at “Democrat-oriented” agencies. The U.S. District Court for the Northern District of California issued a temporary restraining order (TRO) halting any further RIF notices, finding that affected workers faced irreparable harm, including loss of income, healthcare, and uncertainty about employment status. The order preserves the status quo until a preliminary injunction hearing later this month.

Fifth Circuit (LA, MS, TX) to Rehear Case on Louisiana’s Classroom Ten Commandments Display Law

Louisiana’s recently enacted House Bill 71 requires public schools to display the Ten Commandments on an 11”x14” poster in each classroom, displayed with a context statement. A three-judge panel of the U.S. Court of Appeals for the Fifth Circuit previously ruled the law unconstitutional under the Establishment Clause of the First Amendment. The Fifth Circuit has granted the state’s petition to rehear the case before all its active judges.

U.S. Supreme Court Petitions to Watch:

- Lee v. Poudre School District R-1 – Whether a public school district violates Fourteenth Amendment parental rights in the care and custody of their children by adopting and enforcing policies that permit staff to withhold information about a student’s gender identity or social transition. **Petition denied.** Justice Alito, joined by Justice Thomas and Justice Gorsuch, issued a statement respecting the denial, describing the question presented as one of “great and growing national importance.”
- Cambridge Christian School v. Florida High School Athletic Association – Whether, in light of recent decisions, a state athletic association can deny two private Christian schools from offering a prayer over the loudspeaker before a football game—when it normally allows other types of messages from participating schools—just because the prayer is religious.
- Petersen v. Doe – Whether Arizona’s Save Women’s Sports Act, which excludes biological males from girls’ and women’s sports teams, violates the Equal Protection Clause.

U.S. Supreme Court Cases to Watch:

- Chiles v. Salazar – Whether Colorado’s law prohibiting certain conversations between licensed counselors and minors regarding changes to a minor’s sexual orientation or gender identity (i.e., “conversion therapy”) violates the Free Speech Clause. (**Argued 10/7**).
- West Virginia v. B.P.J., by next friend and mother, Heather Jackson – Whether Title IX or the Equal Protection Clause prevents a state from designating school sports teams based on biological sex determined at birth.
- Little v. Hecox – Whether laws that seek to protect women’s and girls’ sports by limiting participation based on sex violate the Equal Protection Clause. **Suggestion of Mootness remains pending.**
- Galette v. New Jersey Transit Corp. (consolidated with New Jersey Transit Corp. v. Colt) – Whether a state-created public transportation agency is immune from lawsuits filed in other states where its buses or trains cause injuries.