



HOLWELL SHUSTER & GOLDBERG REPRESENTS PREVAILING AMICI IN CLOSELY WATCHED TITLE IX APPEAL

08.19.2020

New York—In a significant Title IX ruling issued today, the United States Court of Appeals for the Sixth Circuit agreed with the arguments advanced by the National Women’s Law Center and dozens of other leading civil rights organizations represented by Holwell Shuster & Goldberg LLP partner Demian Ordway and associate M. Theodore Takougang in *Jane Doe v. University of Kentucky*, No. 19-5126. The ruling vacated the holding below that college students do not have standing to bring sexual harassment claims under Title IX unless they were enrolled at the defendant-university.

The case addressed the vital question of who falls within the protections of Title IX, the historic civil rights statute prohibiting sex discrimination at educational institutions and other federally funded entities. On behalf of its clients, HSG submitted an *amicus* brief supporting Jane Doe, a community college student who alleged that the University of Kentucky discriminated against her after she reported being sexually assaulted by a UK student in her dorm room on the UK campus.

The Sixth Circuit ruled that: “With Doe paying the University directly for much of her educational experience—living on the University’s campus, dining on campus, and participating in the University’s student activities—and the close academic relationship between the University and the Community College, we find that the sum of all these relationships to the University of Kentucky means that Doe has shown that there is a genuine dispute as to whether she was denied the benefit of an education program or activity of the University.”

“We’re pleased the Sixth Circuit agreed that individuals not enrolled at a college or university but who nonetheless participate meaningfully in the educational communities fostered by those institutions should be protected under Title IX,” said Ordway, counsel of record for *amici*. “A contrary ruling would wrongly exclude large classes of people from protection they deserve under Title IX.”

ATTORNEYS

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