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Case of the Month

Former university employee's termination did not constitute retaliation in violation of Title IX or Title VII.

Sharon Lewis worked with Louisiana State University's football program for over 20 years. During her tenure, she reported several instances of alleged racial and sexual misconduct by the head football coach and members of the program directed at her and student employees to her supervisors and to the athletic department's [Title IX of the Education Amendments of 1972](#) designee, but no action was taken. Lewis alleged the coach retaliated against her for her complaints. She filed an Equal Employment Opportunity Commission (EEOC) complaint and a lawsuit, alleging retaliation in violation of Title IX and retaliation in violation of [Title VII of the Civil Rights Act of 1964](#), among other claims. While the cases were pending, the university hired a new football coach who reorganized the recruiting department and terminated Lewis, so she amended her lawsuit to argue the termination constituted retaliation for her Title IX and EEOC complaints.

The federal district court ruled in favor of the board finding no connection between Lewis's termination and her Title IX or Title VII complaints. The court accepted that Lewis engaged in protected activity and that she suffered adverse employment action. The court only discussed the cause of Lewis's termination. The court relied on ample witness testimony from the lower court's trial concluding that Lewis's termination resulted from the university hiring a new football coach who wanted to bring in his own people. Lewis appealed.

The Fifth Circuit Court of Appeals considered whether Lewis's termination constituted retaliation in violation of Title IX and Title VII. The court cited evidence that a new coach typically restructures a program upon hire to improve the program and, consistent with this goal, the new coach fired Lewis along with approximately 40 other football staff. Additionally, the new coach was unaware of Lewis's prior complaints when he terminated her position. The Fifth Circuit concluded that Lewis's termination did not constitute unlawful retaliation and affirmed the lower court's ruling. [Lewis v. Bd. of Supvs. of La. State Univ. & Agric. & Mech. Coll.](#) No. 24-30341, 2025 WL 1039781 (5th Cir. Apr. 8, 2025).

Why is This Case Significant?

A community college can overcome a terminated employee's claims of retaliation in violation of Title IX or Title VII by establishing legitimate reasons for the employee's termination.



From the Courts and the Attorney General

Business and Finance

A university system was entitled to interest from a laboratory company on unpaid royalties under a contract for the company's use of certain patented veterinary testing products. [*Idexx Labs. v. Bd. of Regents of Univ. of Tex. Sys.*](#), No. 14-20-00699-CV, 2025 WL 996438 (Tex. App.—Houston [14th Dist.] Apr. 3, 2025, no pet. h.) (mem. op.).¹

Personnel

White former assistant vice president of student affairs, who resigned in lieu of termination for performance issues, including allegations that he was not responsive to the concerns of Black students, and who was subsequently replaced by a Black employee he argued lacked necessary training and experience, provided sufficient evidence to overcome summary judgment on his claim of race discrimination in violation of [Title VII of the Civil Rights Act of 1964](#). [*Greig v. Tex. A&M Univ. Texarkana*](#), No. 5:23-CV-00030-JRG-JBB, 2025 WL 886951 (E.D. Tex. Mar. 21, 2025) (adopting report and recommendation in [*Greig v. Tex. A&M Univ. Texarkana*](#), No. 5:23-CV-00030-JRG-JBB, 2025 WL 890743 (E.D. Tex. Mar. 5, 2025)).

University employee, who retired in lieu of termination for taking federal [Family Medical Leave Act](#) (FMLA) leave though she did not have a qualifying health condition, failed to provide sufficient evidence to overcome summary judgment on her claims of discrimination, interference, and retaliation by the university in violation of the FMLA. [*Holland v. Tex. Christian Univ.*](#), No. 4:24-CV-00289-O, 2025 WL 1002434 (N.D. Tex. Apr. 3, 2025) (mem.).

Students and Instruction

The U.S. Department of Education's (ED) request to stay a temporary restraining order enjoining ED from terminating Teacher Quality Partnership (TQP) Program and Supporting Effective Educator Development (SEED) grants was granted. [*Dep't of Educ. v. Cal.*](#), No. 24A910, 2025 WL 1008354 (U.S. Sup. Ct. April 4, 2025) (per curiam).

Former student failed to provide sufficient evidence to overcome dismissal of his claims that the university failed to accommodate his auditory disability and retaliated against him in violation of the federal [Americans with Disabilities Act](#) and [Section 504 of the Rehabilitation Act](#). [*LaCount v. Tex. A&M Univ.*](#), No. 24-20317, 2025 WL 1000163 (5th Cir. Apr. 3, 2025) (per curiam).²

The Texas A&M University Board of Regents' ban on a student organization's on-campus drag show was preliminarily enjoined because the ban constituted viewpoint discrimination in violation of the U.S. Constitution [First Amendment](#). [*Tex. A&M Queer Empowerment Council v. Mahomes*](#), No. 25-992, 2025 WL 895836 (S.D. Tex. Mar. 24, 2025) (mem.).

Community and Governmental Relations

Citizen-journalist who violated a Texas statute by making public certain crime victim identities failed to overcome dismissal of his [First Amendment](#) retaliation claim because the police officers were granted qualified immunity. [*Villarreal v. City of Laredo, Tex.*](#), No. 20-40359, 2025 WL 1039418 (5th Cir. Apr. 8, 2025).³

¹ This case was previously summarized in the [August 2022](#) TASB Community College Services Legal Update.

² This case was previously summarized in the [July 2024](#) TASB Community College Services Legal Update.

³ This case was previously summarized in the [February 2024](#) TASB Community College Services Legal Update.

Open Records Letter Rulings

This month, the attorney general issued Open Records Letter Rulings⁴ based on requests from Texas community colleges related to:

- Information regarding specific bids. Tex. Att'y Gen. Op. [OR2025-9050](#) (Mar. 17, 2025);
- Law enforcement records. Tex. Att'y Gen. Op. [OR2025-10123](#) (Mar. 24, 2025), [OR2025-10555](#) (Mar. 26, 2025);
- Enrollment data from a specified time period. Tex. Att'y Gen. Op. [OR2025-10173](#) (Mar. 24, 2025);
- Contracts with certain vendors. Tex. Att'y Gen. Op. [OR2025-10587](#) (Mar. 26, 2025);
- Information regarding an incident involving the requestor. Tex. Att'y Gen. Op. [OR2025-10924](#) (Mar. 28, 2025);
- Information regarding a deceased person. Tex. Att'y Gen. Op. [OR2025-11372](#) (Apr. 1, 2025);
- Request for contracts with named companies. Tex. Att'y Gen. Op. [OR2025-11455](#) (Apr. 2, 2025);
- Certain contracts. Tex. Att'y Gen. Op. [OR2025-11738](#) (Apr. 4, 2025);
- Complaints against a named employee. Tex. Att'y Gen. Op. [OR2025-11812](#) (Apr. 4, 2025);
- Information regarding certain contracts. Tex. Att'y Gen. Op. [OR2025-12433](#) (Apr. 10, 2025); and
- Information regarding a request for proposal. Tex. Att'y Gen. Op. [OR2025-12550](#) (Apr. 11, 2025).



Recent Regulations and Guidance

The Texas Comptroller adopted [amendments](#) addressing the Achieving a Better Life Experience (ABLE) program advisory committee.



In the News

The Texas Higher Education Coordinating Board (THECB) issued a [memorandum](#) requesting participation in a pregnant and parenting students' data collection [survey](#).

THECB issued new [Career and Technical Education Guidelines](#), replacing the previous Guidelines for Instructional Programs in Workforce Education (GIPWE) and providing a clearer framework for applied associate degree program approvals among other guidance.

The U.S. Department of Education ED and the U.S. Department of Justice announced the creation of a [Title IX Special Investigations Team](#) intended to streamline investigations under [Title IX of the Education Amendments of 1972](#).

ED issued a [notice](#) requesting public comment on the performance of certain accrediting agencies, including the Southern Association of Colleges and Schools, Commission on Colleges.

⁴ Open record letter rulings are limited to the particular records at issue and the facts as presented to the attorney general. These rulings must not be relied upon as a previous determination regarding any other records or any other circumstances.

ED issued its [intent](#) to hold public hearings and enter into negotiated rulemaking regarding the Public Service Loan Forgiveness (PSLF), Pay as You Earn (PAYE), Income-Contingent Repayment (ICR), and related regulations to streamline federal student financial assistance programs.

The U.S. Equal Employment Opportunity Commission (EEOC) issued [What to Do If You Experience Discrimination Related to DEI at Work](#) and [What You Should Know About DEI-Related Discrimination at Work](#) to offer guidance on recognizing diversity, equity, and inclusion (DEI) discrimination in violation of the [Title VII of the Civil Rights Act of 1964](#) and how to file a discrimination charge against an employer.