

EDUCATION LAW INTO PRACTICE

THE INTERSECTION OF SCHOOL RESOURCE OFFICERS AND STUDENTS WITH DISABILITIES: A CASE LAW UPDATE*

by

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Although subject to different nomenclature and definitions, school resource officers (SROs) began appearing in U.S. schools in the 1950s, but their presence did not become widespread until the introduction of federally-funded safety initiatives in the 1990s.¹ By the 2021–2022 school year, 61% of public schools had security staff present at least once a week with middle and high schools reporting higher concentrations at 78% and 82%, respectively.² This nearly pervasive presence of SROs in public schools, especially at the secondary level, raises important questions about their impact on students.

Data from the U.S. Department of Education’s School Survey on Crime and Safety show that the existence of SROs in a school influences the likelihood that student incidents, including non-violent incidents, are reported to law enforcement agencies.³ Indeed, an analysis of two waves of the Civil Rights Data Collection, which includes all K-12 public schools in the U.S. with more than 25 students, found: (a) that SROs increase the use of suspensions, expulsions, police referrals, and arrests, and (b) that this effect is especially pronounced for Black students, male students, and students with disabilities.⁴

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1. MICHELLE MBEKEANI-WILEY, SARGENT SHRIVER NAT’L. CTR. ON POVERTY LAW, *HANDCUFFS IN HALLWAYS: THE STATE OF POLICING IN CHICAGO PUBLIC SCHOOLS* 7 (2017), <https://www.povertylaw.org/wp-content/uploads/2020/07/handcuffs-in-hallways-amended-rev1.pdf>

2. NAT’L CTR. FOR EDUC. STATISTICS, *PERCENTAGE OF PUBLIC SCHOOLS WITH SECURITY STAFF PRESENT AT LEAST ONCE A WEEK, AND PERCENTAGE WITH SECURITY STAFF ROUTINELY CARRYING A FIREARM, BY SELECTED SCHOOL CHARACTERISTICS: SELECTED SCHOOL YEARS, 2005–06 THROUGH 2021–22, 2023* <https://nces.ed.gov/programs/digest/>

d23/tables/dt23_233.70.asp?current=yes (defining security staff broadly to include security guards/officers, security personnel, SROs, and sworn law enforcement officers who are not SROs; security guards/officers and security personnel do not include law enforcement, while SROs include all career law enforcement officers with arrest authority who have specialized training and are assigned to work in collaboration with school organizations).

3. Michael Heise & Jason P. Nance, “*Defund the (School) Police*”? *Bringing Data to Key School-to-Prison Pipeline Claims*, 111 J. CRIM. L. & CRIMINOLOGY 717, 771 (2021).

4. Lucy C. Sorensen, Montserrat Avila-Acosta, John B. Engberg, & Shawn D. Bushway, *The Thin Blue Line in Schools: New Evidence on School-Based Policing Across the U.S.* 42 J. POL’Y ANALYSIS & MGMT. 941, 965 (2023); *see also* OFF. FOR CIVIL RIGHTS, U.S. DEP’T OF EDUC., *A FIRST LOOK: STUDENTS’ ACCESS TO EDUCATIONAL OPPORTUNITIES IN U.S. PUBLIC SCHOOLS* 23–24 (2025), <https://www.ed.gov/media/document/2021-22-crdc-first-look-report-109194.pdf> (finding that Black students and students with disabilities had the most dramatic disparities in suspensions, expulsions, refer-

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This article analyzes recent case law at the intersection of SROs and students with disabilities. It provides an update to two previous reviews with this same scope.⁵ SRO is defined here as an individual whose exclusive purpose is the safety of the school or who was assigned by a police department under a memorandum of understanding to provide a law enforcement presence on school grounds.⁶ Under this broad definition, schools use a variety of terms including school safety officer, campus security officer, school liaison officer, and youth services officer.

Part I provides a brief review of the professional literature, including a sampling of education, policy, and legal analyses. In general, the literature review starts with a broad focus on SROs and then proceeds more specifically on their interactions with students with disabilities. Part II describes the methods used to collect and select the court decisions for analysis. Part III details the findings of the case analysis, and Part IV offers an interpretation of those findings.

I. Literature Review

Most of the professional literature about SROs focuses on the perceptions of various stakeholders, extending to the SROs themselves. A review of thirty-one such surveys found that most administrators, teachers, students, and parents rated SROs as a positive presence within their schools,⁷ though these perceptions depended on factors such as principals' evaluations of SROs as procedurally fair toward staff and students⁸ as well as students' race and their experience with school violence (e.g., bullying, fighting).⁹ However, a study evaluating teacher perceptions of SROs found positive associations with feelings of safety and security by adults, but not necessarily by students.¹⁰ SROs perceived their primary role as law enforcers, not school rule enforcers, which they reported as a common source of

als to law enforcement, and school-related arrests in public schools during the 2021-2022 school year); Scott Crosse, Denise C. Gottfredson, Erin L. Bauer, Zhiqun Tang, Michele A. Harmon, Carol A. Hagen, & Angela D. Greene, *Are Effects of School Resource Officers Moderated by Student Race and Ethnicity?*, 68 CRIME & DELINQ. 381, 402 (2021) (finding that SRO presence resulted in increases in offenses and exclusionary reactions that were most evident for Black and Hispanic students; students with disabilities were omitted from the sample); AMIR WHITAKER, SYLVIA TORRES-GUILLÉN, MICHELLE MORTON, HAROLD JORDAN, STEFANIE COYLE, ANGELA MANN, & WEI-LING SUN, ACLU, COPS AND NO COUNSELORS: HOW THE LACK OF SCHOOL MENTAL HEALTH STAFF IS HARMING STUDENTS 9 (2019), <https://www.aclu.org/publications/cops-and-no-counselors> (finding that increases in police officers in public schools resulted in "biased application of discipline and overcriminalization of students of color and students with disabilities").

5. Thomas A. Mayes & Perry A. Zirkel, *Disproportionate Encounters of School Security Personnel and Students with Disabilities: An Update of the Case Law*, in DISCIPLINE DISPARITIES AMONG STUDENTS WITH DISABILITIES 177 (Pamela Fenning & Miranda Johnson eds., 2022); Perry A. Zirkel, *School Resource Officers and Students with Disabili-*

ties: A Disproportional Connection?, 27 EXCEPTIONALITY 299 (2019).

6. This definition differs from some of the professional literature. See, e.g., NAT'L CTR. FOR EDUC. STATISTICS, *supra* note 2 (defining SROs as career law enforcement officers with arrest authority who have specialized training and are assigned to work in collaboration with school organizations).

7. Matthew Almanza, Makayla Mason, & Chris Melde, *Perceptions of School Resource Officers: Protectors or Prosecutors?*, 48 CRIM. JUST. REV. 318, 333 (2023).

8. Scott E. Wolfe, Margaret M. Chrusciel, Jeff Rojek, J. Andrew Hansen, & Robert J. Kaminski, *Procedural Justice, Legitimacy, and School Principals' Evaluations of School Resource Officers: Support, Perceived Effectiveness, Trust, and Satisfaction*, 28 CRIM. JUST. POL'Y REV. 107, 130 (2017).

9. Matthew T. Theriot & John G. Orme, *School Resource Officers and Students' Feelings of Safety at School*, 14 YOUTH VIOLENCE & JUV. JUST. 130, 139 (2016).

10. Brandon J. Wood & Eric Hampton, *The Influence of School Resource Officer Presence on Teacher Percep-*

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conflict with administrators and teachers.¹¹ Echoing such different role perceptions, a survey at elementary schools in the southeast found that administrators viewed SROs more like a “third administrator” who helped with angry parents or dangerous drivers rather than with law enforcement activities. Yet, the SROs tended to overestimate their positive effects on feelings of safety relative to all school-based stakeholders and underemphasize their role in school discipline and punishment relative to teachers, parents, and stakeholders of color.¹² Similarly, according to a qualitative study of high schools across the Midwest, SROs asserted that administrators wanted them to be strict enforcers of both school rules and the law, which some admitted increased scrutiny of certain groups of students and the likelihood of their ending up in the juvenile or criminal justice systems. As one officer from the study blatantly professed, “Let’s be honest, the kids it will hurt don’t matter anyway. Their parents don’t care. The teachers don’t care. Why should I?”¹³

Policy research on SROs typically focuses on how to improve their roles and responsibilities with much less attention to whether SROs should be present in schools at all. A comprehensive review of 100 articles found that 87% contained “majoritarian” recommendations that presumed a need for SROs in schools and focused on individual officer conduct reform instead of systemic reform. Among the twenty-eight articles that presented “counter policy narratives” like alternative programming (e.g., restorative justice), only eleven did so without also making majoritarian recommendations.¹⁴ A study of two affluent and predominantly White school districts in the southeast—where SROs engaged in more education and mentoring tasks as opposed to law enforcement tasks as part of their duties—warned about the critical role school context plays in policy. Indeed, the authors argued that the sheriff’s mandate to focus on external (rather than internal) threats and the SROs’ perception that students in the school district were well behaved explained why they did not find discernable relationships between students’ interactions with SROs and their likelihood of being disciplined.¹⁵ This argument aligns with other research showing that the proportion of White students in a school district influenced whether SROs were primarily concerned with external threats to students or the students themselves as threats.¹⁶

Less prevalent in the professional literature are studies documenting the impact of SROs. As previously noted, research from the Civil Rights Data Collection linked SRO presence in public schools to increases in suspensions, expulsions, police referrals, and arrests with the

tions of School Safety and Security, 50 SCH. PSYCH. REV. 360, 367 (2021) (recognizing that teachers perceive students to be more fearful and less secure in buildings employing SROs).

11. Almanza et al., *supra* note 7, at 328.

12. Samantha Viano, F. Chris Curran, Benjamin W. Fisher, & Aaron Kupchik, *The Third Administrator? Perceptions of School Resource Officers in Predominantly White Elementary Schools*, 59 EDUC. ADMIN. Q. 633, 647–49 (2023).

13. Michael D. Bush & Kimberly D. Dodson, *To Arrest or to Serve: School Resource Officers’ Perceptions of Zero-Tolerance and the School-to-Prison Pipeline*, 22 J. ETHNICITY CRIM. JUST. 66, 78–80 (2024).

14. Christine Zabala-Eisshofer, Kate Somerville, & Kathryn Wiley, *Recommending Reform: A Critical*

Race and Critical Policy Analysis of Research Recommendations About School Resource Officers, 46 EDUC. EVALUATION & POL’Y ANALYSIS 358, 367 (2024).

15. F. Chris Curran, Samantha Viano, Aaron Kupchik, & Benjamin W. Fisher, *Do Interactions with School Resource Officers Predict Students’ Likelihood of Being Disciplined and Feelings of Safety? Mixed-Methods Evidence from Two School Districts*, 43 EDUC. EVALUATION & POL’Y ANALYSIS 200, 227 (2021).

16. Benjamin W. Fisher, Ethan M. Higgins, Aaron Kupchik, Samantha Viano, F. Chris Curran, Suzanne Overstreet, Bryant Plumlee, & Brandon Coffey, *Protecting the Flock or Policing the Sheep? Differences in School Resource Officers’ Perceptions of Threats by School Racial Composition*, 69 SOC. PROBS. 316, 330–31 (2022).

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greatest increases for Black students, male students, and students with disabilities.¹⁷ This analysis also showed that SROs reduce some forms of violence in schools (e.g., physical fights), but they do not prevent gun-related incidents.¹⁸ Of particular importance to this article, data from the Office for Civil Rights showed that students with disabilities were subjected to seclusion and restraint at the highest ratios.¹⁹ A recent study of all U.S. public middle and high schools found that the presence of SROs, but not school security guards, was consistently associated with higher student arrest and suspension rates, both overall and for subgroups of students (particularly Black students), even after controlling for observable school characteristics and school district fixed effects.²⁰ In California, researchers explored what happened when school police, including but not limited to SROs, were removed by six districts—the first study of its kind. Using quasi-experimental methods, they found significant improvements in how students experienced their school environment (e.g., stronger caring relationships, more meaningful participation in school) and no increases in violence victimization, harassment or bullying, substance use, delinquency, or suspension rates (overall or by race/ethnicity).²¹ These findings may be attributable to how SROs approach their duties. For example, in schools where SROs were heavily involved in law enforcement activities, but not proactive activities like mentoring or teaching classes, administrators reported higher levels of racial tensions, gang activity, and bullying as opposed to schools where SROs were more involved in proactive activities.²²

Legal research on SROs focuses on litigation. In a comprehensive review of 208 cases from 2008 to 2018 concerning the intersection of SROs and K–12 public school students generally, Zirkel found that the most frequent claim rulings²³ were in the constitutional category, led by the Fourth Amendment.²⁴ Based on a three-category outcomes scale,²⁵ he found that 72% of the 283 claim category rulings were conclusively in favor of the defendants.²⁶ Serving as the first in the springboard studies for the instant article, a complementary analysis for the same period but limited to the 22 decisions where the student

17. Sorensen et al., *supra* note 4, at 964–65.

18. *Id.* at 959.

19. OFF. FOR CIVIL RIGHTS, *supra* note 4, at 19.

20. Keenen Vernon & F. Chris Curran, *On Guard but Not Sworn: The Relationship Between School Security Guards, School Resource Officers, and Student Behavior, Discipline, and Arrests*, 23 CRIMINOLOGY & PUB. POL'Y 327, 344 (2024).

21. TREVOR FRONIUS, ARENA C. LAM, & TRENT BASKERVILLE, THE IMPACT OF SCHOOL POLICE REFORM ON STUDENT SAFETY AND SCHOOL EXPERIENCES 9–13 (2025), <https://www.ojp.gov/pdffiles1/nij/grants/311090.pdf>

22. Deanna N. Devlin & Benjamin W. Fisher, *An Examination of School Resource Officers as an Approach to Reduce Social Disturbances in Schools: Evidence from a National Longitudinal Study*, 20 J. SCH. VIOLENCE 228, 236–237 (2021).

23. The three successively more specific units of analysis for judicial frequency and outcomes are cases, decisions, and claim category rulings. For case law analyses in which plaintiffs use a shotgun or spaghetti

strategy, the claim category ruling is appropriate. *See, e.g.*, Diane M. Holben & Perry A. Zirkel, *Bullying of Students with Disabilities: An Empirical Analysis of Court Claim Rulings*, 361 EDUC. L. REP. 498 (2019); Susan Bon & Perry A. Zirkel, *The Time-Out and Seclusion Continuum: A Systematic Analysis of Case Law*, 27 J. SPECIAL EDUC. LEADERSHIP 1 (2014); Perry A. Zirkel & Caitlyn A. Lyons, *Restraining the Use of Restraints for Students with Disabilities: An Empirical Analysis of the Case Law*, 10 CONN. PUB. INT. L.J. 323 (2011).

24. Perry A. Zirkel, *An Empirical Analysis of Recent Case Law Arising from School Resource Officers*, 48 J.L. & EDUC. 305, 315–16 (2019).

25. The three outcome categories were conclusively in favor of the plaintiff, inconclusive, and conclusively in favor of the defendant(s). The conclusive categories were for claim rulings representing a definitive final judgment in favor of one party or the other. The intermediate inconclusive category was for rulings that were subject to further judicial review or litigation (e.g., denial of motion to dismiss or summary judgment).

26. Zirkel, *supra* note 24, at 316. For a similar analysis of overall frequency and outcome findings, *see* Paula

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was an individual with a disability, Zirkel found that the most frequent claim rulings were Fourth Amendment (n=16) and Section 504 of the Rehabilitation Act (§ 504) and/or the Americans with Disabilities Act (ADA) (n=16) tied for first place.²⁷ For the outcomes, he found that 65% of all the claim category rulings were in favor of the defendants.²⁸ Second, Mayes and Zirkel conducted a follow-up review of twenty-five cases for the next 2.1 years from 2018 to 2020 at the same intersection of SROs and students with disabilities. This analysis found that defendants conclusively prevailed in 60% of claim category rulings, but the majority of claims were made under state law (n=15) followed closely by the Fourth Amendment (n=14).²⁹ The purpose of this article is to provide an updated follow up to this pair of disability-focused case law analyses.

II. Method

The authors generally replicated the systematic, multi-step data collection and analysis process used by Zirkel.³⁰ In step one, the authors completed a Boolean search in Westlaw with various combinations of (a) “school resource officer,” “school security officer,” “school liaison officer,” “school safety officer,” or “school police” with (b) “student & disability!” for the date range starting on October 16, 2020³¹ and ending on April 15, 2026.³² These search terms, with an exclusion for “college” or “university,” yielded 143 court decisions.

In step two, the authors applied the following selection criteria: (a) the SROs actions were a decisional (rather than tangential) factor in the case, and (b) a parent sought civil liability against the SRO, the SRO’s employer, or both on behalf of a child with disabilities.³³ Conversely, the primary exclusions were (a) criminal cases including postconviction relief proceedings, (b) juvenile justice and child welfare cases, (c) family law cases, and (d) actions filed by SROs (as opposed to against SROs).

In step three, the authors closely reviewed each case and recorded the following information:

1. Disability status: (a) whether the child had an individualized education program (IEP) or § 504 plan as well as (b) the category of disability or diagnosis (e.g., attention deficit hyperactivity disorder (ADHD), autism, emotional disturbance (ED), intellectual disability (ID), oppositional defiant disorder (ODD), and/or other health impairment (OHI))³⁴

E. Chan, Jennifer Counts, Antonis Katsiyannis, & Joseph Ryan, *Litigation and School Resource Officers*, 28 J. CHILD & FAM. STUD. 3296, 3304 (2019) (finding, based on a narrower scope of decisions and a less precise outcome scale, that the courts ruled in favor of school districts or SROs in 83% of cases in an analysis of 44 cases from 1996 to 2018).

27. Zirkel, *supra* note 5, at 302; Section 504 of the Rehabilitation Act, 29 U.S.C. § 794; Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.* In this line of systematic analyses of SRO litigation, including the instant article, the § 504 and ADA claims are conflated as one category under the abbreviated label of “§ 504/ADA.”

28. Zirkel, *supra* note 5, at 303.

29. Mayes & Zirkel, *supra* note 5, at 185. Inasmuch as only one case had claim rulings conclusively in favor

of the plaintiff, 33% of the claim rulings were in the inconclusive category.

30. Zirkel, *supra* note 5, at 301–02.

31. This date is the day following the end of Mayes and Zirkel’s coverage, *supra* note 5, at 182.

32. This date was selected to end exactly 5.5 years from the previous review.

33. Moreover, this analysis, as the previous ones in this line of research, used only the final decision for each claim category ruling.

34. The analysis used “disability or diagnosis” because the court decisions did not consistently describe whether the child had an IEP or § 504 plan and what was the disability classification or their specific diagnosis.

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2. SRO actions: the primary actions at issue in the case (e.g., detainment or restraint)³⁵
3. Claim categories: the legal basis for each adjudicated claim based on the following categories:³⁶
 - a. Fourth Amendment (4th Am.) = unlawful searches and/or seizures including excessive force
 - b. Fourteenth Amendment (14th Am.) = violations of the due process (DP) or equal protection (EP) clauses
 - c. § 504/ADA = violations of the federal disability discrimination laws
Individuals with Disabilities Education Act (IDEA)³⁷ = denial of the “free and appropriate public education” (FAPE) clause
 - e. State law = violations under state constitution, state statute, or state tort law (e.g., assault/battery, negligence)
 - f. Other = miscellaneous unreported claims
4. Claim category ruling: the outcome of each claim in the latest available court decision according to this scale:³⁸
 - a. 1 = conclusively in favor of the plaintiff (e.g., parent, child)
 - b. 2 = inconclusive (e.g., denial of motion for summary judgment)
 - c. 3 = conclusively in favor of the defendant(s) (e.g., SRO, school district)
5. Comments: the underlying reason for the claim category ruling and any additional significant features

III. Results

For the 5.5-year period from October 16, 2020 to April 15, 2026, the selection process yielded twenty-five cases. However, because some of the cases had more than one relevant final decision and because most of the decisions had more than one claim category ruling, the alternative units of analysis for the twenty-five cases amounted to twenty-eight decisions and seventy-eight claim category rulings. The Appendix provides an alphabetical list of the cases including the decisions and the claim categories rulings for each one.

Disability Status

For the first of the four aforementioned variables, the unit of analysis was at the case level. For item a, whether the child had an IEP or § 504 plan, eighteen cases involved plaintiffs that were specifically identified as eligible for special education services under the

35. More than one of these SRO actions was at issue in several court decisions. The Appendix lists the specific actions reported in the court decisions, but the tabulated frequencies are based on the following categories in ascending order of severity: (a) verbal abuse, (b) detainment, (c) physical restraint, (d) mechanical restraint, (e) taser, (f) transfer to involuntary commitment, (g) chemical restraint.

36. Claim categories based on purely threshold adjudication issues (e.g., lack of jurisdiction, waiver of claims, or abstaining from supplemental jurisdiction for state claims) were excluded from the analysis.

However, as shown *infra* in the appendix, categories for federal and state claims that addressed defenses (e.g., exhaustion or qualified immunity) were included and clarified in the Comments column.

37. Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 *et seq.*

38. Claim category rulings were disaggregated only when the outcome for a claim category differed among the defendants. See the Ruling column for these dual entries and the Comments column for the detailed explanation.

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IDEA,³⁹ but coverage was unclear in seven cases. Only one case did not mention the plaintiff's disability status, except to note that the student had "special needs." For item b, the category of disability or diagnosis, the most common were ADHD in twelve cases and autism in eleven cases, followed by ODD in five cases.

SRO Actions

For the second variable, the unit of analysis was at the case level again. The frequency of SRO actions at issue⁴⁰ in these cases are reported below in descending order:

- Mechanical restraint (e.g., handcuffs, legcuffs): n=19⁴¹
- Physical restraint (e.g., pushed against locker, kneeling on back): n=14⁴²
- Detainment (e.g., wide variation from being locked in a room to being left in a police car): n=11⁴³
- Verbal abuse (e.g., yelling, threatening, lying): n=7⁴⁴
- Transfer to involuntary commitment: n=6⁴⁵
- Tasing: n=2⁴⁶
- Chemical restraint (e.g., pepper spray): n=0

Claim Categories (i.e., Frequency)

The unit of analysis for the third variable was the claim category. In descending order of frequency, they are as follows:

- Fourth Amendment: n=16
- § 504/ADA: n=16 (§ 504: n=15; ADA: n=13)
- State law: n=15 (infliction of emotional distress: n=8; negligence: n=7; five assault/battery: n=5; false imprisonment: n=5)
- Fourteenth Amendment: n=12
- IDEA: n=2
- Other: n=2

39. 20 U.S.C. §§ 1400 *et seq.*

40. *Supra* note 35.

41. *E.g.*, C.B. v. Moreno Valley Unified Sch. Dist., 544 F. Supp. 3d 973, 398 Educ. L. Rep. 844 (C.D. Cal. 2021) (handcuffing and legcuffing student on multiple occasions).

42. *E.g.*, D.C. v. Pittsburgh Pub. Schs., 2022 WL 267359 (W.D. Pa. Jan. 28, 2022) (showing multiple types of physical restraint including choking, kneeling on back, pushing into lockers).

43. *E.g.*, D.L. v. Hernando Cnty. Sheriff's Off., 2025 WL 3763912 (M.D. Fla. Dec. 30, 2025) (escalating detainment from being locked in an office to being held in a police car).

44. *E.g.*, M.P. v. Monroe Local Schs., 2021 WL

4479377 (S.D. Ohio Sept. 30, 2021) (yelling and threatening student; lying to student's mother about incident).

45. *E.g.*, D.P. v. Sch. Bd. of Palm Beach Cnty., 658 F. Supp. 3d 1187, 423 Educ. L. Rep. 113 (S.D. Fla. 2023) (denying school board's motion to dismiss on grounds that they did not have probable cause to involuntarily submit plaintiffs for psychiatric evaluation). Two cases in the analysis had more than one student plaintiff: D.P. v. Sch. Bd. of Palm Beach Cnty., 658 F. Supp. 3d 1187, 426 Educ. L. Rep. 113 (S.D. Fla. 2023) (five student plaintiffs) and Figueroa v. Santa Rosa Cnty. Sheriff's Dept., 721 F. Supp. 3d 1289, 435 Educ. L. Rep. 797 (N.D. Fla. 2024) (two student plaintiffs).

46. *E.g.*, J.W. v. Paley, 81 F.4th 440, 421 Educ. L. Rep. 67 (5th Cir. 2023) (tasing a student who attempted to leave the school grounds is not corporal punishment).

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Claim Category Rulings (i.e., Outcomes)

The unit of analysis for the fourth variable was the claim category ruling. Table 1 reports the outcome distributions for these rulings.

Table 1. *Outcome Distributions of Rulings by Claim Category*

	Conclusive for Plaintiff	Inconclusive	Conclusive for Defendant(s)
§504/ADA (n=21)	5% (n = 1)	43% (n=9)	52% (n=11)
State law (n=20)	-	40% (n=8)	60% (n=12)
4th Am. (n=19)	-	37% (n=7)	63% (n=12)
14th Am. (n=14)	-	29% (n=4)	71% (n=10)
IDEA (n=2)	-	-	100% (n=2)
Other (n=2)	-	-	100% (n=2)
TOTAL (n=78)	1% (n = 1)	36% (n=28)	63% (n=49)

Table 1 shows that the defendants conclusively prevailed in forty-nine (63%) claim category rulings and the outcome was inconclusive in twenty-eight (36%) of the seventy-eight claim category rulings. Only one of the claim category rulings was conclusively in favor of the plaintiff, which was under § 504/ADA.⁴⁷ Defendants were most likely to defeat Fourteenth Amendment (71%) and Fourth Amendment (63%) claims, while plaintiffs were most likely to receive an inconclusive result with § 504/ADA claims.⁴⁸ Conclusive rulings were typically based on the plaintiffs' failure to show that the defendants violated the applicable legal standard (e.g., no showing of "deliberate indifference"⁴⁹ or constitutional right was not "clearly established"⁵⁰), while inconclusive rulings overwhelmingly arose from a denial at the dismissal, rather than summary judgement, stage.⁵¹ Moreover, inconclusive rulings do not mean that plaintiffs received no relief since they retain the opportunity to obtain at least partial relief upon further judicial proceedings or settlements.

The one claim ruling on which a plaintiff conclusively prevailed involved allegations of disability discrimination under § 504 and the ADA. In *C.B. v. Moreno Valley Unified School District*,⁵² the parent of a 10-year-old boy with ADHD and ODD established that a California school district discriminated against his son based on disability-related behaviors. The case was based on four separate incidents during which the child experienced a variety of consequences at the hands of its SROs including being handcuffed, legcuffed, locked in a seclusion room, pinned to the ground, kneeled on, detained in a police car, and involuntarily transported and referred to an emergency treatment service for psychological evaluation. Although this combination of actions is certainly egregious, a distinguishing feature of the case, which may have accounted for the favorable ruling, is that the plaintiff successfully proffered a disparate impact theory. A disparate impact theory does not require intent and the court determined that the district's school safety practices had a disproportionate impact on

^{47.} *Infra* note 52 and accompanying text.

L. Rep. 524 (5th Cir. 2011).

^{48.} Not including claim categories with a sample size below n=5.

^{51.} Fed. R. Civ. P. 12(b)(6).

^{49.} *Lytle v. Doyle*, 326 F.3d 463, 471 (4th Cir. 2003).

^{52.} 732 F. Supp. 3d 1139, 437 Educ. L. Rep. 266 (S.D. Cal. 2023).

^{50.} *Morgan v. Swanson*, 659 F.3d 359, 371, 273 Educ.

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students with disabilities. In particular, the judge noted that district data “showed that it was almost nine times more likely to summon a CSO when a student had a disability” and the district “allowed classroom personnel to summon CSOs when students with disabilities became defiant or noncompliant, thereby increasing the likelihood of removal or restraint.”

C.B. is also distinguishable because the court sanctioned the defendants for repeated discovery violations, which may have resulted in adverse inferences being made against them. Specifically, in a court decision issued just five days later,⁵³ the plaintiffs were awarded \$20,000 because the school district was found to be hiding key staff defendants and failing to produce witnesses for depositions. Moreover, by granting summary judgment for the plaintiffs in the main, included decision, the judge effectively stated that there was no reason to have a trial based on the complaint allegations and available discovery documents, thereby increasing their chances of success of a subsequent settlement.

Notably, an earlier decision by the same district court was inconclusive for the plaintiff’s Fourth Amendment claim against the SRO and the school district as well as the state law claims against the SRO. In *C.B. v. Moreno Valley Unified School District*,⁵⁴ the judge argued that “California law prohibits the prosecutions of children under twelve for assault” and the SRO’s decision to intervene a day later “weighs heavily against the severity of the ‘crime.’” Moreover, the judge weighed the child’s age, stature, disability, reactions, and presence of other adults as factors questioning the CSO’s reasonableness of force. Although this decision only helped the plaintiff prevail over a motion to dismiss, the judge’s careful analysis laid the groundwork for a potentially favorable settlement or future ruling.

The rulings in *C.B.* provide a stark contrast to those from *J.W. v. Paley*,⁵⁵ where a Fifth Circuit judge granted summary judgment for the defendant SRO on the Fourth Amendment and Fourteenth Amendment claims in the wake of an unappealed lower court’s summary judgment in favor of the co-defendants for the plaintiff’s § 504/ADA, Fourth Amendment, and Fourteenth Amendment claims.⁵⁶ In *J.W.*, a 17-year-old boy with ID and ED was tased by an SRO after trying to leave the school premises and walk home so that he could calm down. The SRO tased J.W. for about five seconds and then drive stunned him for another ten seconds, continuing to do so even after J.W. was “lying facedown on the ground and not struggling.” According to the SRO, he used the taser a second time because the first time “did not have enough effect.” As a result of the tasing, J.W. “urinated, defecated, and vomited on himself” and the SRO subsequently handcuffed him. Less than a minute later, the SRO yelled at J.W., “I did not want to tase you, but you do not run shit around here, you understand?”

The district court granted defendants’ motion for summary judgment on the § 504/ADA claims for failure to exhaust administrative remedies under the IDEA and the Fifth Circuit affirmed this decision on appeal.⁵⁷ While the Fifth Circuit recognized that IDEA exhaustion was inapplicable here, they argued that J.W.’s claims failed because there was no showing of intentional discrimination based on disability. Despite the court acknowledging that the facts

53. This later court decision is not part of the analysis, because it did not meet the merits of our selection criteria.

54. *Supra* note 41.

55. *J.W. v. Paley*, 860 F. App’x 926, 395 Educ. L. Rep. 524 (5th Cir. 2021), *further proceedings*, 81 F.4th 440, 421 Educ. L. Rep. 67 (5th Cir. 2023).

56. *Washington v. Katy Indep. Sch. Dist.*, 390 F. Supp.

3d 822, 369 Educ. L. Rep. 253 (S.D. Tex. 2019); *see also* *Washington v. Katy Indep. Sch. Dist.*, 447 F. Supp. 3d 583, 379 Educ. L. Rep. 887 (S.D. Tex. 2020) (reversing hearing officer’s decision on statute of limitations for IDEA claim). Both of these decisions were covered in the previous analysis (Mayes & Zirkel, *supra* note 5) rather than appeared in our Appendix.

57. *J.W. v. Paley*, 81 F.4th 440, 421 Educ. L. Rep. 67 (5th Cir. 2023).

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of the case were “disturbing” and that the tasing was “arguably excessive,” the judge reasoned that (a) there was no intentional disability discrimination because plaintiffs failed to produce evidence that the SRO would not have tasered a similarly situated nondisabled student, and (b) there was no failure to accommodate because the SRO was not “privy” to the limitations or accommodations for J.W.’s disability.⁵⁸ So, in a situation where the mistreatment of the student was even more severe than *C.B.*, the court refused to rule in favor of the plaintiff based on the individual actions of one SRO and one student with a disability. It appears that the threshold for a plaintiff to prevail on a § 504/ADA claim is quite high and almost impossible to prove as a singular individual.

The constitutional claims were also denied against the school district and school officials by the district court, but they were allowed to proceed against the SRO. However, subsequent decisions by the Fifth Circuit ruled that the SRO had qualified immunity against the Fourth Amendment claim⁵⁹ and that J.W. could not state a substantive due process claim for corporal punishment under the Fourteenth Amendment if the state offers alternative legal remedies.⁶⁰ The court further explained that J.W.’s Fourteenth Amendment claim for substantive due process also cannot prevail because the SRO did not tase J.W. in order to punish him, but rather to restrain him for “the pedagogical purpose of maintaining order.” In other words, since the tasing was not a “random, malicious, and unprovoked attack,” it could not be considered corporal punishment.⁶¹ The court’s arguments give rise to important questions: 1) Is maintaining order a legitimate pedagogical purpose and at what costs to students’ bodily and emotional integrity? 2) What were the punishments for other students who have left or tried to leave the school premises before and would any student (or educator for that matter) consider tasing to prevent elopement a reasonable or expected outcome?

IV. Discussion

The findings for disability status show that the majority of plaintiffs were eligible for special education services under the IDEA, and regardless of eligibility, the classifications were mostly for ADHD and/or autism.⁶² This finding is not surprising as students with disabilities are predominantly served under the IDEA rather than § 504,⁶³ and both ADHD and autism are behavior-related diagnoses frequently accompanied by challenging behaviors. It also aligns with the aforementioned disability-focused case law analyses that found a predominance of behavior-related diagnoses.⁶⁴ The most common SRO actions involved the use of restraints: mechanical (n=19) or physical (n=14), but no chemical (n=0). Restraints were prevalent in the previous analyses as well, particularly mechanical restraints.⁶⁵ Unique to the instant analysis, however, was the use of involuntary commitment. Indeed, students being forcibly transferred for psychological evaluation showed up in six cases (representing

58. *Id.* at 452.

59. *J.W. v. Paley*, 860 F. App’x 926, 395 Educ. L. Rep. 524 (5th Cir. 2021).

60. *J.W. v. Paley*, 81 F.4th 440, 421 Educ. L. Rep. 67 (5th Cir. 2023).

61. *Id.* at 453.

62. *Supra* note 34 and accompanying text.

63. OFF. FOR CIVIL RIGHTS, U.S. DEP’T OF [414]

EDUC., PROFILE OF STUDENTS WITH DISABILITIES IN U.S. PUBLIC SCHOOLS DURING THE 2020-21 SCHOOL YEAR (2024), <https://www.ed.gov/media/document/crdc-snapshot-profile-of-students-disabilities-us-public-schools-sy-2020-2021-21420.pdf>

64. Zirkel, *supra* note 5, at 302; Mayes & Zirkel, *supra* note 5, at 184.

65. *Id.*

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eleven students).⁶⁶ Although six cases is not a high number, this relatively new SRO action is notable nonetheless. The increased use of severe SRO actions is professionally shocking, though apparently not legally shocking based on the preponderance of pro-defendant rulings. Of course, we acknowledge that there is a sample bias towards more severe SRO actions as those are most likely to be challenged.

The most frequent claim categories were Fourth Amendment (n=16) and § 504/ADA (n=16), followed closely by state law (n=15). These findings align with the previous analyses, which also reported high numbers of Fourth Amendment, § 504/ADA, and state law claims.⁶⁷ The prevalence of state law claims is not surprising as the category represents a wide variety of state constitution, statutory, and tort laws. Notably, the rate of litigation at the intersection of SROs and students with disabilities is inconsistent. Over a 10.7 year period from 2008 to 2018, Zirkel found 22 cases of civil litigation concerning SROs and students with disabilities, a rate of 0.17 cases per month.⁶⁸ Then, over a 2.1 year period from 2018 to 2020, Mayes and Zirkel found 25 cases of civil litigation concerning SROs and students with disabilities, a rate of 0.98 per month, a nearly six-fold frequency increase.⁶⁹ Finally, over a 5.5 year period from 2020 to 2026, the instant analysis found 25 cases of civil litigation concerning SROs and students with disabilities, a rate of 0.38 per month, a nearly three-fold frequency decrease from the Mayes and Zirkel analysis, but still twice the frequency of the initial Zirkel analysis. The oscillating frequency could be related to changes in school environments due to the coronavirus pandemic, the Black Lives Matter protests against police brutality, and the defunding of the Department of Education under President Trump. Additional monitoring and research of these trends is recommended.

The outcome distribution of claim category rulings has remained consistent. Here, the skew in favor of defendants was 63%. This aligns nicely with the 65% and 60% skews found in previous analyses.⁷⁰ Relatedly, the proportion of inconclusive rulings was 36%, which again falls in between the 33% and 38% found in previous analyses.⁷¹ Based on the breakdown of rulings by claim category in Table 1, these findings further suggest that plaintiffs are most likely to prevail on § 504/ADA claims (43%) and state law claims (40%), but most likely to lose on Fourth Amendment (63%) and Fourteenth Amendment (71%) claims. Thus, defendants still maintain the upper hand and plaintiffs are highly unlikely to prevail outright. That being said, plaintiffs maintain a chance of leveraging their inconclusive rulings into favorable settlements or future favorable rulings down the road. An analysis of bullying litigation provides some idea about how these inconclusive rulings play out.⁷² Although student-to-student bullying is different than student interactions with SROs, the cases are partially analogous because they both involve similar claim categories (e.g., ADA, Fourteenth Amendment) and spaghetti strategies (i.e., throwing multiple claims at the wall to see what sticks). The study found that 65% of inconclusive rulings resulted in settlement, 18% were withdrawn or abandoned, 10% conclusively held for the defendant, and 1%

66. *Supra* note 45.

67. *Supra* note 64.

68. Zirkel, *supra* note 5, at 302.

69. Mayes & Zirkel, *supra* note 5, at 184.

70. *Supra* note 64.

71. *Id.*

72. Perry A. Zirkel & Diane M. Holben, *Spelunking in the Litigation Iceberg: Exploring the Ultimate Outcomes of Inconclusive Rulings*, 46 J.L. & EDUC. 195 (2017); see also Diane M. Holben & Perry A. Zirkel, *Bullying Litigation: An Empirical Analysis of the Dispositional Intersection Between Inconclusive Rulings and Ultimate Outcomes*, 42 U. HAW. L. REV. 76, 97 (2020) (finding 67% of inconclusive rulings resulted in settlement and 21% were withdrawn/abandoned).

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conclusively held for the plaintiff.⁷³ Of course, the specific outcomes of the settlements is unknown, but a plaintiff who has survived summary judgment will have more leverage than a plaintiff who has only survived the dismissal stage.

Regardless of the outcome, SRO litigation is expensive; a lawsuit will cost the plaintiff and the defendants time, money, and their reputations. Indeed, what goes on in these cases is shocking and though defendants typically prevail, almost anyone reading the decisions would view the facts as abhorrent. Given the unique needs of students with disabilities, policymakers need to be aware of the critical disconnect between developmentally appropriate discipline and “accepted” standards for law enforcement officers working in schools every day. Indeed, if the purpose of federal laws like the IDEA, § 504, and the ADA is to provide students with disabilities with additional legal protections, why don’t we expect SROs to satisfy a higher bar during these interactions? Just as teachers and administrators are expected to create a positive school climate, all school personnel – including SROs – should be working towards the same goal.

Even beyond the legal obligations that result from frequency and outcomes, there is a professional and ethical norm that public schools need to enforce and to which SROs need to adhere. For example, SROs need specific training on students with disabilities and how disability impacts behavior. Some states have already passed legislation requiring such training.⁷⁴ SROs also need more accountability for their actions. If legislation is the only avenue for accountability, families without the time, money, or know-how to navigate the legal system are unlikely to receive redress. There should be opportunities for mediation and restorative justice for families, and public schools should have some role in the evaluation and discipline of SROs. Moreover, the selection process for SROs needs to be improved so that inexperienced, untrained, and dysregulated actors are filtered out. Perhaps the school community (e.g., teachers, administrators, and students) could develop their own memorandum of understanding that prioritizes student well-being so that SROs are held to higher standards. In doing so, public schools will limit students’ exposure to harmful SRO actions and increase the odds of positive interactions.

73. Zirkel & Holben, *supra* note 72, at 213.

74. *E.g.*, 14 DEL. ADMIN CODE § 610; IND. CODE § 20-26-5-31.

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Appendix: Alphabetical Case-by-Case Analysis⁷⁵

No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
1	A.G. v. City of Statesville	2021 WL 2582577	W.D.N.C. 2021	IEP: Autism, SLD	Handcuffed, forced to floor, kneeled on back for 38 minutes	14th Am. (DP) §504/ADA State law (negligence, ED) 4th Am. (excessive force) §504/ADA	3 3 2, 3 2 2	MTD granted to school board (no deliberate indifference in policy) MTD granted to school board (no discrimination or exclusion) MTD granted to school board (gov't immunity), MTD denied against 2 teachers SJ denied against SRO and city SJ denied against city
2	Albright v. Berkeley Cnty. Sheriff's Off.	2025 WL 3149655, <i>adopted</i> , 2025 WL 3002138	D.S.C. 2025	Unknown: Only identified as "special needs"	Restrained on ground until student's exhaustion	State law (negligence, ED, A/B, false imprisonment) 4th Am. (excessive force) 14th Am. (failure to train) State law (negligence)	3 3 3	SJ denied against 2 teachers, SRO, and city, but negligent hiring dismissed for city, SJ denied against SRO and city for A/B, but false imprisonment dismissed MTD granted to SRO MTD granted to superintendent (no constitutional violation to attach claim) MTD granted to sheriff's office and school district

⁷⁵ The abbreviations used in this Appendix that are not already translated in the text are as follows: A/B = assault/battery; DP = due process; EP = equal protec-

tion; ED = emotional distress; MTD = motion to dismiss; SJ = summary judgment; SLD = specific learning disabilities.

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
3	A.V. v. Douglas Sch. Dist. RE-1	586 F. Supp. 3d 1053	D. Colo. 2022	Autism	Handcuffed, charged, and detained at juvenile detention center	4th Am. (excessive force)	3	MTD granted to SROs and district
						§504/ADA	2, 3	MTD granted to district; MTD denied against SROs (wrongful arrest and failure to accommodate)
4	Alcarn v. E. Greenwood Sch. Dist.	848 F.App'x 75	3d Cir. 2021	IEP: Autism, ID, SLI	Handcuffed, locked in bathroom	14th Am. (EP, DP)	3	Failure to exhaust IDEA claims
						§504	3	Failure to exhaust IDEA claims
5	Bryant v. Portstown Sch. Dist.	2022 WL 3722084	E.D. Pa. 2022	IEP: ED	Handcuffed and detained, charges filed against student	14th Am. (EP)	3	MTD granted to district and borough (insufficient facts to allege racial animus, failure to establish liability)
						IDEA	3	MTD granted to district (failure to allege plausible claims for violation of substantive rights)
6	C.B. v. Moreno Valley Unified Sch. Dist.	544 F. Supp. 3d 973	C.D. Cal. 2021	IEP: ADHD, ODD	Handcuffed on at least 4 occasions, locked in seclusion room, legcuffed, pinned to ground, kneeled on back, detained, sent for 5585 evaluation	4th Am. (excessive force)	2	MTD denied against SROs and district
						State law (discrimination statutes, ED, A/B, false imprisonment)	2, 3	MTD granted to district; MTD denied against SROs (disparate impact evident, sufficient claims)
						§504/ADA	1	SI granted to student (district required all students to be treated the same by SROs, regardless of disability, failure to train)
7	D.C. v. Pittsburgh Pub. Schs.	2022 WL 267559, reconsideration	W.D. Pa. 2022	IEP: ADHD, ODD	Multiple incidents with school staff (teacher kneeled on)	§504	2	SI denied (question of fact regarding support provided to disabled student)

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
		<i>denied</i> , 2022 WL 2949095			back, choked him; para-professional pushed him into restraint against the lockers); SROs handcuffed, detained, and threatened with involuntary commitment	State law (discrimination statutes)	2	SI denied for disability discrimination, but granted for racial discrimination (question of fact regarding support provided to disabled student; district provided racially nondiscriminatory reason for discipline)
8	D.L. v. Hernando Cnty. Sheriff's Off.	2025 WL 3763912	M.D. Fla. 2025	IEP: Autism	Placed in seclusion, handcuffed, legcuffed, detained, involuntarily committed	ADA	3	SI granted to sheriff's office and school board (no deliberate indifference)
						4th Am. (excessive force and seizure)	3	SI granted to SRO and school board (SRO entitled to qualified immunity, failure to show violation of clearly established right; no pattern of misconduct)
9	D.P. v. Sch. Bd. of Palm Beach Cnty.	121 LRP 41608, <i>adopted</i> , 688 F. Supp. 3d 1187	S.D. Fla. 2021/2023	5 students (e.g., Autism, ADHD, dyslexia, PTSD)	All 5 students taken for involuntary psychiatric evaluation; some were handcuffed before being taken	§504/ADA	2, 3	MTD granted to superintendent and chief (official capacity); MTD denied against school board (unlawful discrimination)
						4th Am. (excessive force and seizure)	2, 3	MTD granted to superintendent, chief (official capacity), and individual officers (qualified immunity); MTD denied against school board (no probable cause to detain, failure to train)

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
						14th Am. (DP)	2, 3	MTD granted to superintendent and chief (official capacity); MTD denied against school board (deprived parents of liberty interests) and individual officers (no qualified immunity)
						State law (discrimination statute)	2, 3	MTD granted to superintendent and chief (official capacity); MTD denied against school board (lack of deliberate indifference not argued)
10	Dequeant v. Sch. Sys. of Lafayette Parish	2025 WL 2534569	W.D. La. 2025	Autism	Detained on school bus for 1.5 hours on one occasion; handcuffed on multiple occasions	§504/ADA	3	SJ granted to city (actions would not be different with a nondisabled student)
						Other (8th Am.)	3	Only applies to prisons, not schools
						State law (negligence, false imprisonment)	3	SJ granted to city (only handcuffed until compliant)
11	Emmes v. Presque Isle City	773 F. Supp. 3d 400	E.D. Mich. 2025	Cerebral palsy, 45 IQ, autistic tendencies	Handcuffed and taken to jail	4th Am. (excessive force, failure to train, false arrest)	3	SJ granted to SRO (force was reasonable, no constitutional violation to attach claim, probable cause)
						14th Am. (DP)	3	SJ granted to SRO (excessive force can't be argued under 14th Am.)
						State law (A/B, negligence)	3	SJ granted to SRO (entitled to immunity)

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
12	Felder v. Bd of Educ. of the Cty of Bridgeport	2025 WL 1616626	D. Conn. 2025	IEP: ADHD	Slammed on desk, thrown to floor, restrained in hallway	\$504	3	SJ granted to school board (no evidence of hostile environment or denial of benefits)
13	Figueroa v. Santa Rosa Cnty. Sheriff's Dept.	721 F. Supp. 3d 1285, <i>further proceedings</i> , 2024 WL 6963878	N.D. Fla. 2024	IEP (B.F.): Autism, ADHD, disruptive mood dysregulation disorder IEP (C.B.): Autism, ADHD	Took B.F. to ground, placed twice on back, handcuffed, forcibly re-applied handcuffs twice, detained in police car, B.F. taken to hospital, but released because he did not qualify under Baker Act C.B. handcuffed and detained in police car, taken to hospital, but released because he did not qualify under Baker Act	4th Am. (excessive force and seizure, failure to train)	2, 3	MTD granted to SRO for C.B.'s force claim; MTD denied against SRO for B.F.'s seizure and force claims as well as C.B.'s force claim; MTD denied against school board (deliberate indifference)
14	Hwang v. Bd. of Educ. for Oak Park & River Forrest High Sch. Dist. 200	2025 WL 2463000	N.D. Ill. 2025	IEP: Autism, PTSD, MDD, general anxiety	Tackled to ground by SRO, hit head on table and lost consciousness, suffered concussion, restrained by legs and wrists by at least 3 adults on floor,	4th Am. (excessive force) \$504/ADA	3 2	MTD granted to school nurse and social worker (qualified immunity) and school board (not a widespread practice) MTD denied against school board (student not allowed to return to school)

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
					restrained by paramedics and hospital, unwillingly sent to psychiatric ward based on false information	State law (constitution, ED)	3	MTD granted to school nurse, social worker, and school board (no excessive force)
15	J.M. v. Parlier Unified Sch. Dist.	2021 WL 5234770	E.D. Cal. 2021	IEP, ADHD, SLD	Thrown against counter and handcuffed, verbal intimidation, cell phone violently taken and thrown	4th Am. (excessive force) State law (negligence)	3	MTD granted to principal (not SRO supervisor) MTD granted to principal (not SRO supervisor, no duty to call mother)
16	J.W. v. Paley Washington ex rel. J.W. v. Katy Indep. Sch. Dist. J.W. v. Paley	860 F. App'x 926 2023 WL 2535273 81 F.4th 440, 2023 WL 144 S.Ct. 2658 (2024)	5th Cir. 2021 5th Cir. 2023 5th Cir. 2023	IEP, ID, ED	Tasered to prevent eloping (continued after student was laying down), handcuffed	4th Am. (excessive force) IDEA 14th Am. (DP)	3 3 3	Initial denial of SJ reversed in favor of SRO (constitutional right not clearly established) SJ granted to district (did not meet bar to show denial of FAPE) SJ upheld for SRO (tasing did not amount to excessive corporal punishment)
17	M.C. v. Bennett	2022 WL 18956169	S.D. Iowa 2022	IEP, ODD, ADHD	Prior incidents involved SRO kneeling on, pushing,	§504/ADA 4th Am. (seizure)	3 3	SJ upheld for district (no intentional discrimination based on disability) SJ granted to SRO (conduct was reasonable and did not violate a constitutional right)

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
					and taunting student; pulled down to floor and handcuffed by SRO	State law (A/B, ED, false imprisonment, failure to train)	3	SI granted to SRO, SI granted to city and district (no constitutional violation)
18	M.M. v. Antelope Valley Union High Sch. Dist.	2024 WL 4560172	C.D. Cal. 2024	IEP, SLD	Student frequently bullied by peers for disability; SRO questioned student after altercation with one of her bullies; shoved against wall, slammed to floor, pinned face-down, forcibly restrained; student cited for battery on school employee based on false allegations	4th Am. (malicious prosecution) 14th Am. (EP) Other (Title VI)	2 2 3	MTD denied against SROs (no probable cause or qualified immunity) MTD denied against SROs (statistics support allegation of discriminatory intent) MTD granted to SROs (no description of alleged racial discrimination)
						State law (constitution, statute, ED, false imprisonment)	2	MTD denied against SROs (statistics support allegation of discriminatory intent); MTD denied against SROs (established excessive force, didn't need independent threat); MTD denied against SROs (conduct was extreme and outrageous, no probable cause for arrest)
19	M.P. v. Jones	2023 WL 5938915	D. Colo. 2023	ED, ADHD	SRO lifted compliant student by shoulders and carried him to classroom; SROs	4th Am. (excessive force and seizure, failure to train)	2, 3	MTD denied against SROs (no reasonable cause for arrest); MTD granted to police chief (no notice that training was deficient)

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
					ignored teachers' requests to remain outside while de-escalating based on BIP, forced student to ground, handcuffed him, detained in police car, charged student with assault and obstruction	§504/ADA	2, 3	MTD granted to police chief (no failure to train); MTD denied against SROs for wrongful arrest and failure to accommodate
20	M.P. v. Monroe Local Schs.	2021 WL 4479377	S.D. Ohio 2021	IEP, ADHD, ODD	SRO yelled at, manhandled, and handcuffed student; threatened to send student to juvie over Christmas break; made false allegations to mother	4th Am. (excessive force and seizure) 14th Am. (EP, DP)	2, 3	MTD denied (unreasonable to handcuff compliant child) MTD granted to SRO for DP; MTD granted to school officials for EP (doesn't allege differential treatment); MTD denied against SRO for EP (differential treatment for students without disabilities)
						§504/ADA	2, 3	MTD granted to district (no denial of benefits based on disability); MTD denied for SRO (differential treatment for students without disabilities)
						State law (negligence, ED, AB)	2, 3	MTD granted to district and school officials (no awareness of risk); MTD denied against SRO and principal (didn't handcuff student); MTD denied against SRO

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No.	Case Name	Citation	Court/Year	Disability Status	SRO Actions	Claim Categories	Ruling	Comments
21	Phillips v. Prater	2021 WL 3376524	5th Cir. 2021	IEP /Autism (nonverbal)	Tasered after kicking at school administrators; lay motionless in pool of his own urine for 13 minutes before responders arrived	\$504/ADA	2, 3	MTD against sheriff affirmed, but MTD against SRO reversed (intentional failure to accommodate)
22	R.T. v. Bradley City Bd. of Educ.	2026 WL 412102	S.D. Tenn. 2026	IEP /ADHD, anxiety	Teacher called out student in front of peers in auditorium; dragged by teacher and para to SPED office; restrained by SRO; SRO body cam footage contradicted official reports	14th Am. (DP)	3	MTD granted to school board, school employees (claims subject to IDEA exhaustion) and SRO (insufficient allegations for DP)