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Mother of Special Needs Student Criminally Assaulted on the Playground by a Tulsa Public School Teaching Assistant Files Federal Lawsuit

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Gibson Dunn and SolomonSimmonsLaw today filed suit, on behalf of Shanta Isom, the mother of J.I., a Tulsa Public Schools ("TPS" or the "District") student who was violently attacked by a teaching assistant at a TPS elementary school in February 2024. The lawsuit alleges federal antidiscrimination and constitutional violations against Tulsa Public Schools and the teaching assistant, Nicholas Stowell, who committed the assault.

On February 9, 2024, Nicholas Stowell violently attacked J.I., a seven-year-old first grader, on the playground at his elementary school. The attack was caught on video, showing J.I. playing on the playground with other students when Stowell approached him. Stowell then dragged a limp J.I. by his arm across the playground to a picnic table where Stowell slammed J.I. onto the bench repeatedly and placed him in an apparent headlock before J.I. was able to free himself.

Stowell was arrested that day and charged with felony child abuse. He later pleaded guilty to that charge and is currently serving a six-year noncustodial sentence. TPS publicly defended itself to the press that same day but failed to inform J.I.'s guardian of the assault at the time it occurred—an apparent coverup of the incident to avoid public fallout from the attack. It was not until days later that Ms. Isom was informed of the assault, and due to the delay, J.I. was unable to receive prompt medical care.

The assault also caused regression of J.I.'s condition and exacerbated the manifestations of his disabilities, which TPS was legally obligated to accommodate. TPS further discriminated against J.I. by failing to implement an adequate individualized education program ("IEP") for J.I., failing to train its staff to properly engage with disabled students like J.I., and illegally refusing his request to reenroll in school the following calendar year.

TPS has a history of abusive and unequal treatment toward students with disabilities, including failing to develop adequate IEPs and a pattern and practice of tolerating mistreatment of special needs students. TPS is currently under formal review for significant racial and ethnic disparities in its discipline of students with disabilities and has been sued repeatedly for alleged physical assaults by TPS employees against children in its care.

Ms. Isom is suing TPS for violations of Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act for, among other things, failing to implement legally-required accommodations for J.I., covering up the assault, and denying J.I. his right to education on account of his disabilities in violation of federal law. Ms. Isom has also brought claims under the Fourth and Fourteenth Amendments against TPS and Stowell for the criminal abuse of her son.

Related People

Karin Portlock

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Karin Portlock, partner at Gibson Dunn, stated: “Criminal abuse and discrimination have no place at school. Not only were J.I.’s rights clearly violated by this gruesome assault, but his young life has been tragically altered by mistreatment at the hands of TPS, which failed to serve him as a student with disabilities. Our schools need to protect our children, not endanger them. We are honored to represent Ms. Isom in her fight for justice for her son.”

Damario Solomon-Simmons of SolomonSimmonsLaw also stated: “This case exposes a systemic failure by Tulsa Public Schools to protect a child with disabilities who was entitled to safety, dignity, and meaningful access to education. Instead, J.I. suffered violence, neglect, and exclusion in a place meant to protect him. This lawsuit enforces the basic promise of our Constitution and federal law and seeks to ensure that no TPS student with disabilities is ever placed in harm’s way or quietly pushed out of school again.”

Ms. Isom, stated: “I’m proud to file this lawsuit on behalf of my son and make sure this does not happen to another child.”

The complaint is available here.

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