

WILL, Dr. Anderson: File amicus in case against a Maryland School District policy that hides gender identity transitions from parents

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The News: The Wisconsin Institute for Law & Liberty (WILL), on behalf of [Dr. Erica E. Anderson](#), filed an [amicus brief](#) in the Fourth Circuit today, urging the federal court of appeals to reverse a District Court decision. This decision holds that a Montgomery County, Maryland, School District policy can exclude parents from significant decisions affecting their children and states that the policy does not violate parents' constitutional rights. Like some other school districts around the county, the Maryland District's policy allows minor students to secretly adopt a new gender identity at school, requiring all staff to treat them as though they were the opposite sex, without parental notice or consent, and even directs staff to conceal this from parents in various ways.

The WILL Quote: WILL Deputy Counsel, Luke Berg, said, "We have seen policies like this in school districts across the country, and they all violate parents' constitutional rights. It's up to the parents to raise their child, not school staff."

The Amicus Quote: Dr. Erica E. Anderson, PhD, stated, "As an ally and licensed psychologist with over 40 years of experience, I have seen hundreds of children and adolescents for gender-identity-related issues—many of whom transition, with my guidance and support. But a transition is a major event in a youth's life, and parents must be involved."

Background: The Montgomery County, Maryland, School District, like other school districts around the country, has implemented a policy that allows children of *any*

age to embrace a new gender identity at school without the knowledge or approval of the parent(s). Yet many mental-health professionals recognize that a gender-identity transition is a profound and difficult decision, and that parental involvement is necessary to properly assess the underlying sources of the child's feelings, to evaluate the risks and benefits of a transition, to identify and address any coexisting issues, to provide ongoing support, and ultimately, to decide whether a transition will be in their child's best interests.

The District Court held that this critical choice is merely a "curriculum" decision that school districts may not only exclude parents from, but also hide from them. Such a conclusion not only mischaracterizes the significance of the decision whether to transition, but also disregards the many ways that such policies violate parents' constitutional rights. The amicus brief urges the Fourth Circuit to recognize that hiding this significant choice from parents is inappropriate and unconstitutional.

This [amicus brief](#) was filed in the United States Court of Appeals for the Fourth Circuit.

Read More:

- [WILL Amicus Supporting Appeal](#), November 21, 2022