

Alliance Defending Freedom: Wisconsin parents ask court to affirm their freedom to direct care, education of children

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MILWAUKEE, Wis. – Attorneys with Wisconsin Institute for Law and Liberty and Alliance Defending Freedom representing two sets of Wisconsin parents filed a [motion](#) Friday asking a state court to rule in favor of their parental rights. The parents filed a [lawsuit](#) in November 2021 against the Kettle Moraine School District to challenge its policy that encourages minor students to change their name and gender pronouns at school without parental consent.

In the case, *B.F. v. Kettle Moraine School District*, the Waukesha County Circuit Court ruled in June that the school district policy potentially violated parents' rights and denied the school district's motion to dismiss the lawsuit.

"Parents' rights to direct the upbringing, education, and mental health treatment of their children is one of the most basic constitutional rights every parent holds dear," said ADF Senior Counsel Kate Anderson, director of the ADF Center for Parental Rights. "Yet we are seeing more and more school districts across the country not only ignoring parents' concerns, but actively working against them. We are asking the court to respect the serious concerns of these parents by ensuring Kettle Moraine School District swiftly changes its policy that is undermining parents and harming children."

One of the Wisconsin couples suing the school district was forced to withdraw their 12-year-old daughter from the district to protect her mental health and preserve their parental role. The school district violated their constitutionally protected

freedoms by insisting that school staff use a male name and male pronouns to address their daughter at school without their consent and over their objections. Additionally, another couple has joined the lawsuit against the district to make sure the same thing doesn't happen to their children.

ADF attorneys serve as co-counsel for the two families along with WILL Deputy Counsel Luke Berg, who is lead counsel in the case.

"The Kettle Moraine School District's policy defies common sense, medical expertise, and plainly violates the constitutionally recognized rights of parents to raise their children," said Berg. "Schools do not have this legal authority, and we are supporting parents who are rightfully fighting back."

"The Kettle Moraine School District...has an unwritten policy requiring school personnel to address and treat children as though they were of the opposite sex without parental consent and even over a parent's objection, violating parents' constitutional right to raise their children," the [brief](#) in support of the motion for summary judgment explains. "Not only is this policy unconstitutional, but many experts believe that consistent 'affirmation' by respected adults that a child is really the opposite sex can have profound long-term effects on the child and even do serious harm.... This position, even if unwritten, violates the rights of parents under the Constitution. School districts must defer to parents about decisions involving their own children."