

# Wisconsin Institute for Law and Liberty: Warns school districts and alerts parents after Supreme Court affirms parents' rights in schools

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**The News:** The Wisconsin Institute for Law & Liberty (WILL) has provided new legal guidance to school districts and parents following the Supreme Court's recent order in *Mirabelli v. Bonta*, which addressed parental rights in the context of school policies concerning student gender identity.

**The Quote:** WILL Deputy Counsel, Cory Brewer, stated: "The Supreme Court reinforced that parents have enforceable rights to be involved in major decisions affecting their children's health and wellbeing. Because of this clarification, WILL is providing school districts with guidance on how to respect parents' rights and reduce the risk of legal challenges. The message is clear: school policies that allow students to socially transition without parental consent risk expensive lawsuits and significant liability."

**What Happened:** On March 2, 2026, the United States Supreme Court released an order in *Mirabelli v. Bonta*, which addresses California's statewide policy that prevents public schools from telling parents about their children's efforts to socially transition at school. These policies are sometimes called "gender support policies" or "secret gender transition plans" and can require teachers to affirm a student's name or pronouns at school while withholding this information from parents. The Court's order allows a district court injunction against the policy to remain in effect while litigation continues, effectively preventing enforcement of the policy for the time being.

**What It Means for School Boards:** School districts should review any policies that limit parental knowledge or involvement regarding student gender identity. Districts, board members, and staff should consider taking the following steps immediately:

1. Repeal any policy that allows students to change names and pronouns at schools without the explicit permission of parents or guardians;
2. Adopt policies that promote, rather than violate, parental rights, such as WILL's model policy on gender identity and parental consent;
3. Investigate whether school employees have implemented informal gender support plans or secret gender transition policies within specific classrooms, grades, or school buildings. If you find such policies, take immediate steps to remedy the situation.

**What It Means for Parents:** The U.S. Supreme Court's decision makes clear that parents have the right to be informed and involved in decisions affecting their children's health and wellbeing. Parents should consider the following actions:

1. Opt-out your child from any secret gender transition policy. You can use WILL's free resource here: [will-law.org/optout/](http://will-law.org/optout/).
2. Request any records that indicate teachers or other school staff are required to engage in any of the elements of a secret gender transition policy listed above.
3. Demand that your school board withdraw any secret gender transition policies.
4. Encourage your school board to adopt WILL's model policy on gender identity and parental notification.
5. Parents can take legal action if their rights are violated. Courts may award damages and attorney fees against the district, and potentially against individual staff, creating the risk of costly lawsuits for schools.

**Additional Resources:** WILL is a nationwide resource for school districts and parents. As a public-interest law firm, WILL filed the first lawsuit in the country against secret gender transition plans in 2020. And in 2023, WILL obtained the first ruling in the country declaring that secret gender transition plans are unconstitutional.

WILL's resources for school districts are available here: [will-law.org/schoolboards/](http://will-law.org/schoolboards/).

**Read More:**

- [School District Legal Guidance](#), March 2026
- [Parental Legal Guidance](#), March 2026

Read and share the [press release](#) online.