



# Court Report

Education Law News You Can Use

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## [Indiana Requires Schools to Notify Parents If Their Child Requests Name or Pronoun Change](#)

Indiana's governor signed a [bill](#), going into effect July 1, which will require schools to notify a student's parent if the student requests a change in name, pronoun, title, or other identifying words.

## [Two CA Middle School Teachers Sue District over Gender Identity Privacy Policy](#)

California education guidelines and Escondido Union School District policy state that transgender students' gender identities must be kept private from parents unless the students give consent. Two district middle school teachers [sued](#) the district and state education officials in federal court, claiming First Amendment violations. The teachers allege the policy compels speech in violation of the Free Speech Clause, and observing the policy burdens their religious beliefs in violation of the Free Exercise Clause.

## [Michigan School District Bans All Backpacks over Guns and Safety Concerns](#)

The Flint Board of Education unanimously voted to ban backpacks for the remainder of the school year, intended as a proactive additional safety measure to prevent hiding weapons. The [policy](#) bans clear backpacks, but permits "within reason" and subject to search: small purses for personal items (e.g., keys, phone), clear plastic bags with gym clothes, and lunchboxes.

## [Miami \(FL\) Area School District Mandates Clear Backpacks in Upcoming School Year](#)

Meanwhile, the Broward County School District announced a mandate for only clear backpacks and bags on campuses for students in all grades starting in the 2023-24 school year, aimed "to prevent potential security issues." The [policy](#) provides exceptions for small pouches for personal hygiene items and certain carrying cases for athletic or musical equipment.

## [PA School District Ordered to Allow 'After School Satan Club' to Meet in School Facilities](#)

In an update from a story shared in the March 20 edition, the Saucon Valley School District had rescinded a facilities use approval for meetings of the After School Satan Club, a middle school student group and self-reported secular organization. Following a letter from the ACLU of Pennsylvania demanding reinstatement of the approval under First Amendment grounds, the district stood by its denial, citing The Satanic Temple's controversial views and community pushback. The Satanic Temple, a non-theistic, IRS-recognized religious not-for-profit corporation, sued in federal court on First Amendment grounds, seeking an order allowing the student group to meet at the middle school on the dates initially approved by the school district. The United States Court for the Eastern District of Pennsylvania agreed, pointing to likely unjustified viewpoint discrimination by the school district.

## [Parents Fighting Book Removal Policy Lacked Standing to Challenge Policy with Lawsuit](#)

A Missouri school district implemented a policy calling for the automatic removal of material in school libraries upon the mere receipt of a challenge to the material as objectionable, pending a formal review process. District parents, on behalf of their children, challenged the policy in federal court as unconstitutional under

First Amendment and due process grounds. The United States District Court for the Western District of Missouri dismissed the suit for lack of standing, concluding that there wasn't a concrete injury suffered, rather just hypothetical ones. Moreover, the court explained that even if the court put a stop to the policy, it would not address the issue, as school personnel would still have discretion to remove materials.

#### **Pending U.S. Supreme Court Petitions to Watch:**

- [Lindke v. Freed](#) (linked with [O'Connor-Ratcliff v. Garnier](#)): Whether a public official's social media activity can constitute state action only if the official used the account to perform a governmental duty or under the authority of his or her office. (In O'Connor-Ratcliff specifically, two school board members blocked parents from their respective personal social media pages where they would sometimes discuss school matters with the public.) **Petition granted.**
- [The Ohio State University v. Snyder-Hill](#) (linked with [The Ohio State University v. Gonzales](#)): Whether, or to what extent, a claim under Title IX accrues after the date on which the alleged injury occurred (e.g., by a state statute of limitations for personal injury actions of two years, or by when the alleged victims learn of the abuse and the school's inaction).
- [Kincaid v. Williams](#): Whether the diagnosis of gender dysphoria, found in the DSM-5, is excluded from the Americans with Disabilities Act's definition of disability under 42 U.S.C. § 12211(b).

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