

Education

Trump-allied group sues Pine-Richland schools over protections for trans students

90.5 WESA | By [Jillian Forstadt](#)
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Katie Blackley / 90.5 WESA

Signs at the rally for transgender rights at Pittsburgh's City County building on Thursday, Nov. 1, 2018.

Attorneys at a D.C.-based law firm, led by advisors to former President Donald Trump, have filed a lawsuit against [Pine-Richland School District](#) over policies regarding students' right to privacy, including "the right to keep one's transgender status private at school."

Pine-Richland requires school officials to obtain student consent before notifying parents of any changes to their gender expression, including the use of pronouns different from those used at home or a name that better aligns with their gender identity. It also allows students to meet with a support team without parental consent.

"To ensure the safety and well-being of the student, District personnel should not disclose a student's transgender status to others," [Pine-Richland's policy reads](#), "including the student's parents/guardians or other District personnel, unless: (1) legally required to do so, or (2) the student has authorized such disclosure."

It adds that, in some cases, informing parents or guardians about a student's gender transition could put a student in harm's way, noting that district staff "must work closely with the student to assess the degree to which, if any, the parent/guardian will be involved in the process and must consider the health, wellbeing, and safety of the transitioning student."

"When we take away their autonomy and we out them to their parent, we potentially put them in a very dangerous situation," said Jule Arney, director of training and research at the [Hugh Lane Wellness Foundation](#), which works to improve health outcomes among LGBTQ youth and adults in Western Pennsylvania.

But in a [complaint filed Friday](#) with the U.S. District Court for Western Pennsylvania, attorneys with America First Legal — founded by Trump senior advisor Stephen Miller — said that the policies violate parents' ability to "make decisions concerning the care, custody, and control" of their children.

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The complaint, filed on behalf of a parent described only as "Jane Doe", cites conversations between Doe and district officials. According to the suit, Doe found her child watching videos "related to transitioning," and is concerned that — in the event her child *does* begin exhibiting signs of transitioning — the school "will immediately begin affirming her before Doe knows and can take steps to help her child obtain appropriate medical care."

Educators allegedly told her that "under no circumstances" would she be notified if her child requested to be addressed by different pronouns, a different name or expressed a desire to transition to a gender other than the one she was assigned at birth.

America First Legal [previously sponsored a radio ad in Pittsburgh and other markets](#) blasting Democrats for supporting gender-affirming care for young people. In a [statement](#) on the lawsuit, the group said the policy's end result was "illegally keeping parents in the dark," adding that "parents, not school bureaucrats, should have the utmost control over their child's upbringing."

The suit asks the court to declare the district's policy "void, invalid, and unconstitutional," as well as award the plaintiff monetary damages and attorney fees.

Under federal law, parents can view their student's education records, but legal advocates for transgender youth say schools are [not legally required to notify them](#), nor are they required to document changes to a student's gender identity.

That's because outing a student to their family — particularly without their consent — could pose a risk to their wellbeing.

According to the Trevor Project, nearly [40% of all transgender youth nationwide](#) have experienced homelessness, often kicked out of their homes or abandoned by family after coming out.

A [University of Pittsburgh study from 2020](#) also reported much higher rates of suicidal thoughts among transgender teens when compared to cisgender adolescents.

"No one is pushing that you have to all of a sudden change how you identify," Arney added. "We're simply asking for folks to be open to allowing others to identify themselves in ways that make sense."

Officials with Pine-Richland declined to comment on the lawsuit. But Kristina Moon, a senior attorney at the Education Law Center, said that school counselors are trained to make determinations that prioritize a student's wellbeing.

"Schools deal with this on a regular basis on all kinds of issues, and that is the role of the school counselor in our schools," Moon said. "To have those difficult conversations and provide support to students on a variety of issues — whether it's in the school, in the community, at home — to ensure that they're able to learn in school, focus in school on their studies."

State law does not require districts to take measures beyond ensuring students aren't discriminated against under the Pennsylvania Human Relations Act, according to Moon. Democratic lawmakers have, however, [proposed legislation](#) that would establish best practices for schools regarding pronouns and transitioning students.

Moon applauded the district for enacting a strong policy that "really affirms the right of all kids to be safe and supported in school."

Nila Griffin, whose daughter is transgender and attends the district's Eden Hall Upper Elementary, said that has been true of her experiences.

She reached out to district staff when moving to the area to let them know about her daughter's gender identity, and said staff sprung into action to support the family.

"They immediately put together a support team for her with the school counselor, the district psychologist, her teacher, the admin, everybody, and just asked what she needed and how they can support us," Griffin said.

Griffin said she can sympathize with parents who want to understand what their student is grappling with. But she said nothing is more important than a student's safety, at school and at home.

"If that student doesn't feel safe, there's a reason for that," she added.

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Jillian Forstadt is an education reporter at 90.5 WESA. Before moving to Pittsburgh, she covered affordable housing, homelessness and rural health care at WSKG Public Radio in Binghamton, New York. Her reporting has appeared on NPR's Morning Edition.

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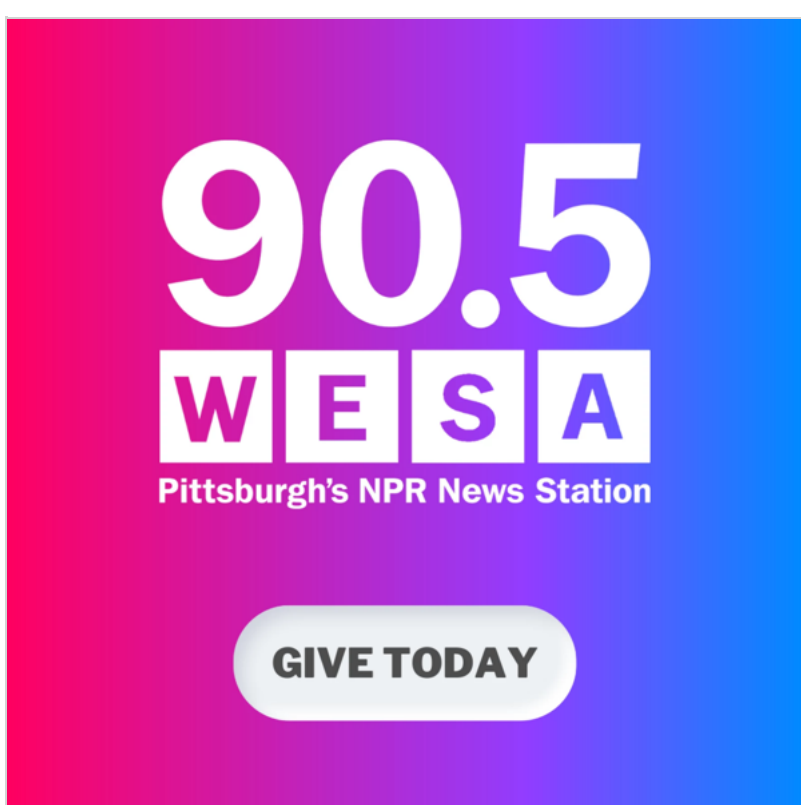
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