



Southeastern Legal Foundation and Defense of Freedom Institute File Federal Civil Rights Complaint Against Kansas School District for Policies That Violate Title IX and Student Free Speech

FOR IMMEDIATE RELEASE

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[February 23, 2025] Today, Southeastern Legal Foundation (SLF) and the Defense of Freedom Institute for Policy Studies (DFI) [submitted a complaint](#) to the U.S. Department of Education Office for Civil Rights against the Shawnee Mission School District, Kansas for enforcing unlawful “gender identity” policies that violate Title IX and infringe on the First Amendment rights of parents and students.

Filed on behalf of Kansas parents and their elementary-aged daughter, the complaint challenges district policies that allow students to access sex-separated facilities based on gender identity and require students to use “preferred” names and pronouns. The filing details the real-world harm caused by these policies, including forcing a young girl out of her own restroom and coercing student speech in the classroom.

According to the [complaint](#), a first grade student encountered a biological male identifying as female in the girls’ restroom. The experience caused significant emotional distress. Since that time, the student has been effectively displaced from the girls’ restroom and forced to use a separate staff bathroom to protect her privacy.

District officials have told parents that providing access to restrooms and other facilities based on “gender identity” and compelled use of preferred pronouns are required under Title IX. But federal courts have repeatedly rejected this interpretation of the law, and the U.S. Department of Education has reaffirmed that Title IX protects students based on biological sex, not “gender identity.”

The complaint states, “Shawnee Mission SD’s Code AC and its Transgender Practices + FAQ document, which have both been in force for several years, contravene Title IX and violate the privacy interests of District students, including Parents and Daughter. These unlawful policies actively harm district students like Parents, Daughter, and others. They cause trauma and confusion for children who are either forced to share private spaces



with the opposite sex or be exiled from their own bathrooms. They turn Title IX on its head.”

SLF President Kim Hermann said, “It is absolutely horrifying that a school district would be willing to enforce policies that have been shown to actively disrupt what should be a safe and comfortable environment for young students. Now, due to their unlawful gender policies, Shawnee Mission SD has not only failed to protect this student, but has introduced her to genuine trauma that no first grader should ever have to experience. The mental health and wellbeing of our children is not to be played with by school districts who are looking to engage with woke policies. This is an outrage and the district needs to immediately rectify these unconstitutional policies and comply with federal law.”

DFI President and Co-Founder Bob Eitel said, “Title IX prohibits discrimination on the basis of sex in education. Shawnee Mission ISD violated Title IX when it required a young girl to share intimate facilities with a member of the opposite sex as a condition of attending school.”

Southeastern Legal Foundation is a national, nonprofit legal organization dedicated to defending liberty and Rebuilding the American Republic®. Since 1976, SLF has been going to court for the American people when the government overreaches and violates your constitutional rights.

The Defense of Freedom Institute for Policy Studies (“DFI”) is a national, nonprofit organization dedicated to defending and advancing freedom and opportunity for every American family, student, entrepreneur, and worker and to protecting the civil and constitutional rights of Americans at school and in the workplace. Such rights include the right not to be excluded from equal opportunities in federally funded education programs or activities due to prohibited discrimination on the basis of sex and the right of parents to inspect, review, and control access to the education records of their minor children.

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