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Southeastern Legal Foundation Represents Parent Suing School District for Refusing to Produce Student Survey

LOUISVILLE, KY (June 6, 2024): Today, [Southeastern Legal Foundation](#) (SLF) filed a [lawsuit](#) against Jefferson County Public Schools (JCPS) on behalf of a parent who has been stonewalled and denied access to basic information about invasive student surveys being administered in the district. Miranda Stovall, a mom of four who advocates for parental rights, educational reform, and education transparency in Kentucky, requested a copy of a survey administered to one of her children under the state’s open records law. The survey was administered by Pearson, a group that [notoriously](#) pushes radical ideologies while asking children invasive questions about their mental health and families. When the school district denied her request, claiming the survey was protected by copyright law, SLF filed this [lawsuit](#) on her behalf.

Open records laws ensure transparency so that the public knows what the government is doing. Jefferson County Public Schools is refusing to comply with state law and to produce the surveys it administers to students because it claims that the surveys are protected by federal copyright law. But Ms. Stovall is not using the surveys for personal gain; she simply wants to access them so that she can publicize what is happening in the school district and engage in debate about curriculum and transparency—all of which are protected under the First Amendment and fall under the fair use exception to federal copyright laws.

When schools like JCPS refuse to hand over the contents of invasive surveys and curriculum, they stifle debate. Parents have a right to redress their grievances with the government—their school boards—and to raise concerns about what their children are being taught. But if they do not know what their children are being taught, they cannot have these debates, so their speech is unconstitutionally silenced.

Ms. Stovall states, “As a parent myself, I have a lot of concerns with my child’s school asking her invasive survey questions and want to raise those concerns to my school board and other parents. But JCPS has been stonewalling me and denying me the information I need to engage in those critical discussions.”

SLF Executive Director [Kimberly Hermann](#) states, “Parents are the primary caregivers of their children and have a right to know what their children are being taught. Transparency and open government are essential so that parents can fully understand and address any concerns they have about politically charged curriculum and invasive surveys that ask our children to provide personal and private information, especially when operated by companies like Pearson.”

Vice President of Litigation for SLF [Braden Boucek](#) states, “Rather than engage with parents in meaningful debate and address their concerns about invasive surveys, schools are just hiding and avoiding the debate altogether by claiming that materials are copyrighted. Concerned parents are exactly the type of people the fair use exception is meant to protect, which is why we are taking JCPS to court.”