

## Legal Battle Over Transgender Policies: America First Legal Takes on Mesa Public Schools



Former Donald Trump adviser Stephen Miller's legal group, America First Legal, spearheads a legal battle against Mesa Public Schools in Arizona. The lawsuit, filed on Monday, alleges that the school district's transgender-supportive policies violate the state's parental rights law. Board member Rachel Walden is the plaintiff in this case, which targets the district and its superintendent, Andi Furlis. The lawsuit contends that the policies disregard parental notification requirements and infringe on the Parents' Bill of Rights.

### Violations of State Law

The lawsuit argues that Mesa Public Schools' policies, in place since at least August 2015, permit students to represent a gender different from their biological sex without notifying parents. According to America First Legal, this directly contradicts Arizona's Parents' Bill of Rights, which recognizes the fundamental right of parents to direct the upbringing, education, health care, and mental health of their children. The suit also alleges violations of other statutes, including requirements for parental consent regarding sexuality instruction and mental health screening.

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### Lack of Democratic Process

America First Legal contends that Mesa Public Schools has maintained these policies without the approval of the elected MPS Governing Board, the sole entity authorized by state law to adopt school policies. This, they argue, demonstrates a lack of respect for democratic principles.

### Specifics of Trans-Supportive Policies

According to The Arizona Republic, Mesa Public Schools' policies allow transgender students to use facilities aligned with their gender identity and to be addressed by names and pronouns corresponding to that identity. Staff members are directed to inquire if students want their parents notified about these matters, and if the student declines, the district is barred from informing parents.

### Rachel Walden's Opposition

Board member Rachel Walden, who joined the board in January, has been vocal in her opposition to the district's transgender guidelines since taking office.

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### District's Response

The district sought legal counsel to assess the compliance of its guidelines with state law, receiving a response from the Mesa-based law firm of Udall Shumway that found no violations. Superintendent Andi Furlis has also communicated to parents and staff, asserting that support plans for transgender students do not involve medical transition and parents are not kept uninformed.

### Legal Goals

The lawsuit seeks to declare Mesa Public Schools' transgender support policies illegal and prevent the enforcement of any related policies without board approval. Additionally, it aims to mandate parental notification and consent whenever a student discusses matters of sexuality with school employees, including expressing confusion or a desire to transition.

### **America First Legal's Agenda**

America First Legal, founded in 2021 by Stephen Miller, defines its mission as opposing what it perceives as the radical left's anti-jobs, anti-freedom, anti-faith, anti-borders, anti-police, and anti-American agenda. The organization has previously filed complaints against Kellogg's LGBTQ-supportive practices and sued Target over its Pride merchandise marketing.

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