

NEWS RELEASE

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Conservative Non-profit Responds to Unfounded ACLU Complaint

The official response issued by Citizens Defending Freedom can be found [here](#)

TARRANT COUNTY, Texas – Citizens Defending Freedom (CDF) issued a response to the recent complaint filed by the American Civil Liberties Union of Texas (ACLU) against the Keller Independent School District (Keller ISD) with the U.S. Department of Education. CDF categorically rejects the baseless allegations of discrimination put forth by the ACLU and stands firmly behind Keller ISD's policies.

In June, Keller ISD adopted a policy to require students to use the locker rooms and bathrooms that correspond with their biological sex. In a similar action, the school district instructed staff, educators and other employees to address students using the pronouns associated with their birth certificates. Keller ISD also required its schools to make reasonable accommodations for any student who may need a single user facility. In August, the ACLU filed 2 Federal complaints against the school system, making several baseless allegations including, sex discrimination and violating Title IX. CDF asserts that the ACLU's complaint lacks both factual and legal merit, and it appears to be an attempt to intimidate Keller ISD and other school districts into submission.

Contrary to the ACLU's claims, there is no federal or state law that prohibits the actions taken by Keller ISD. CDF contends that interpreting Title IX as the ACLU did would require a distorted, illogical reading of the law, as Title IX explicitly allows for distinctions based on biological sex.

The ACLU's reliance on the Supreme Court's 2020 decision in *Bostock v. Clayton County* is misplaced. *Bostock* does not extend to the Title IX context, as courts across the country have affirmed. These decisions align with the Department of Education's 2021 Memorandum, which acknowledges that Title IX permits and, in some cases, requires consideration of biological sex.

Title IX contains provisions that authorize or allow for sex-separate activities and facilities based on biological sex. These provisions are consistent with the law's intent and Congress's robust review.

The ACLU's assertion that Keller ISD's policies would invade students' privacy by requiring disclosure of "private medical information" is unfounded. Public schools routinely require various forms of private

information, such as birth certificates and medical records. Acting as if biological sex based on birth certificates crosses a line is disingenuous.

"The ACLU's complaint claims that Keller ISD's policies may harm the mental health of transgender, non-binary, and intersex students. However, all students deserve to be treated with dignity and respect, including those suffering from gender dysphoria. Keller ISD is one of a few school districts that has taken the courageous step of recognizing that the best way to protect all students and respect parental authority is to continue to respect the binary distinction between male and female in the school setting. I am proud to stand alongside CDF in its support of Keller ISD on this issue," said Janelle Davis, a CDF attorney.

CDF firmly believes that Keller ISD's policies are lawful, appropriate, and in the best interests of all students, including those who identify as transgender. CDF views the ACLU's complaint as a fundraising effort and should not be taken as a valid representation of the facts.

Interviews available upon request. Please see the full CDF response below.

About Citizens Defending Freedom:

Founded in 2021, Citizens Defending Freedom is a non-profit organization that strategically employs county-level chapters across America to help citizens defend their faith and freedom, all while fighting for transparency in local government. Currently, Citizens Defending Freedom has official chapters in Florida, Georgia and Texas. The group is rapidly expanding its footprint, and expects to grow into one of America's largest political nonprofits. [Click here](#) to learn more about Citizens Defending Freedom. Representatives are available for interviews upon request.

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