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U.S. District Court temporarily blocks enforcement of Idaho transgender bathroom law

In *Roe v. Critchfield*, plaintiffs allege state’s school bathroom law discriminates against transgender students

BY: **MIA MALDONADO** - AUGUST 10, 2023 6:33 PM



The U.S. District Court has temporarily blocked enforcement of an Idaho law that would have prevented transgender students from using restrooms that correspond with their gender identity in Idaho public schools. (Mia Maldonado / Idaho Capital Sun)

The U.S. District Court decided Thursday that it would temporarily block enforcement of an Idaho law meant to prevent transgender students from using school restrooms that correspond

with their gender identity.

[Senate Bill 1100](#), which took effect July 1, would have required public schools to maintain two separate multi-occupancy restrooms, showers, changing facilities and overnight accommodations for students based on their sex assigned at birth. It also would have allowed students to sue the school for a minimum fine of \$5,000 if they encountered a transgender student in the bathroom.

But in a legal order Thursday, the U.S. District Court granted a request for a temporary restraining order against the law – preventing schools from enforcing that mandate ahead of the school year.

The lawsuit, [Roe v. Critchfield](#), was [filed in federal court](#) on July 6 by Lambda Legal, Munger Tolles & Olson and Alturas Law Group. The attorneys filed the lawsuit on behalf of Boise High School's Sexuality and Gender Alliance, and Rebecca Roe – a rising seventh-grade transgender student in the Boise School District who is using anonymity to protect her identity.

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Plaintiffs are suing State Superintendent of Education Debbie Critchfield, the Idaho State Board of Education and the Boise School District under the claim that the law violates the Equal Protection and Due Process Clauses of the 14th Amendment and Title IX of the Education Amendments of 1972 by singling out transgender youth for discriminatory treatment.

Maggie Reynolds, the spokesperson for Critchfield's office, told the Idaho Capital Sun in a phone interview Thursday that the office has received the court order and is reviewing the lawsuit, but it will not further comment on pending litigation.

Idaho State Board of Education spokesperson, Mike Keckler, previously told the Idaho Capital Sun that the board does not comment on pending litigation. The Boise School District could not be immediately reached for comment Thursday.

Lambda Legal senior counsel Peter Renn said the court's ruling is a relief for transgender students in Idaho, who he said are entitled to equal treatment and respect at school.

"When school is back in session, they should be focusing on classes, friends, and activities like everyone else, rather than worrying about where they are allowed to use the restroom," Renn said in a press release. "No one's return to school should be met with a return to discrimination."

A motion hearing for the lawsuit is scheduled for 9 a.m. Sept. 13 at the U.S. District Court in Boise.

This story was updated to include additional comment from Superintendent Debbie Critchfield's office.



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Mia Maldonado joined the Idaho Capital Sun after working as a breaking news reporter at the Idaho Statesman covering stories related to crime, education, growth and politics. She previously interned at the Idaho Capital Sun through the Voces Internship of Idaho, an equity-driven program for young Latinos to work in Idaho news. Born and raised in Coeur d'Alene, Mia moved to the Treasure Valley for college where she graduated from the College of Idaho with a bachelor's degree in Spanish and international political economy.

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