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# Judge dismisses Bethel families' lawsuit over schools' transgender policy

Miami County school district allows students to use the restroom of their preferred gender identity, citing existing case law on the matter



LOCAL NEWS

By Nancy Bowman

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A federal judge Monday dismissed a civil action filed by parents in the Bethel Local Schools in Miami County challenging the district's transgender restroom facility and related policies.

Judge Michael Newman filed the decision in U.S. District Court for Southern Ohio in the lawsuit by parents and the America Legal First organization against the board of education, its members Lydda Mansfield, Lori Sebastian, Natalie Donahue, Danny Elam Jr. and Jacob King

and current Superintendent Matthew Chrispin.

The complaint was filed in November on behalf of parents and students identified as John and Jane Does, and children, both boys and girls, it said were in grades ranging from third through ninth in the Bethel district.

The complaint centered on the board of education's change in January 2022 of rules for intimate facilities from providing restrooms shared only by persons of the same biological sex to allowing students to use the facilities of their preferred gender identity. [At the time, the school district cited a request from a student and existing case law as the reason for their change.](#)

[The civil action claimed the policy violated the students' and parents' constitutional rights.](#) The American Civil Liberties Union joined the case in January.

The board decision back in 2022 led to controversy in the district, with chaotic meetings and the departure of a superintendent. It also sparked an effort to remove board members Mansfield, Elam and Sebastian. That action, filed in Miami County Common Pleas Court, was dismissed Friday by Judge Jeannine Pratt.

In his decision, Newman wrote that "Although the parties, undoubtedly, seek to vindicate what they believe is the truth, the allegations in the complaint do not pass legal muster under the applicable methods of constitutional, statutory or precedential interpretation."

Claims that the policy infringed on 14th amendment rights to direct care of their children were not valid, Newman wrote

"Although parents have the right to make decisions about where to send their children to school, they do not have a constitutional right to revoke a school's policy on student bathroom usage," the decision stated..

The Bethel Local Schools Board of Education and Chrispin said Monday the decision showed the district "acted neutrally towards all students."

"The court's decision makes clear the school board acted to eliminate discrimination on the basis of sex. It equally makes clear the school district never acted in violation of any right owed to disagreeing students and their parents, including the right to freely exercise one's religion," Lynnette Dinkler, lawyer for the board, its members and the superintendent, said in a statement.

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