# Federal judge dismisses teacher’s $10 million lawsuit over outing student’s gender identity



In a recent decision that may conclude ongoing litigation involving gender identity policies at a Ludlow middle school, a federal judge dismissed the lawsuit filed by a teacher who was terminated for disclosing a student's queer identity to their parents.

Bonnie A. Manchester, a teacher at Paul R. Baird Middle School, brought a $10 million lawsuit in 2021 against former school officials and the town after her dismissal on grounds of "conduct unbecoming a teacher." The termination resulted from Manchester's decision to inform the parents of an 11-year-old student about the student's expressed gender preferences, an act deemed contrary to school and state protocols aimed at protecting student privacy.

Manchester, who had been employed by the school since 1999, argued that her dismissal violated her First Amendment rights to free speech and contended that engaging parents was a fundamental component of her role. However, U.S. District Judge Mark G. Mastroianni rejected these claims in a 24-page memorandum issued on Friday, granting the defense's motion to dismiss. He stated, "The court concludes (the) plaintiff’s federal causes of action fail to state a claim upon which relief may be granted. These federal claims are therefore dismissed."

This ruling follows a prior dismissal by the same judge, three years earlier, of a lawsuit filed by the child's parents who had claimed their parental rights were breached when the school initially kept the student's gender preferences confidential. That decision was subsequently upheld by the First Circuit Court of Appeals.

The situation has been part of broader tensions within Ludlow, a Western Massachusetts town that has seen debates akin to national discussions over gender identity in schools. Years before Manchester's lawsuit, controversy erupted over the introduction of gender-fluid themes and books by a nonbinary librarian at the school library.

Manchester's lawyer, Frank L. McNamara Jr., voiced disagreement with the judge's decision and indicated that an appeal might be pursued, stating, "I’m sure the judge did what he thought was right through his own light, but we have a very different view and will let higher tribunals review it."

The events leading to the lawsuit involved an email sent by the student in 2021 to teachers and administrators. The student, assigned female at birth, expressed a preference to use a new name and he/him or they/them pronouns, describing themselves as “genderqueer.” The student requested that teachers maintain the use of she/her pronouns when communicating with parents, reflecting their reluctance to disclose this aspect of their identity to family members.

Prior to Manchester's disclosure, teachers had discussed the student's emotional and academic decline during the COVID-19 pandemic, agreeing to notify the child's parents. However, administrators later intervened, instructing staff not to share the student's expressed gender preferences to safeguard the student’s privacy.

Despite this directive, Manchester engaged in a conversation with the student's father while her car was being serviced at his auto shop, revealing the child's gender identity and related efforts by teachers and administrators to support LGBTQ+ students amid concerns over gender dysphoria among teens. Judge Mastroianni’s ruling summarised, “Ms. Manchester also discussed with the father efforts then underway by certain teachers and administrators at Baird to assist LGBTQ students in ‘regendering,’ to protect them from bullying and other forms of harassment, and to conceal information from parents, and how all this was a matter of great public concern and controversy among teachers, parents, (administrators) and School Committee members, not only in Ludlow but also nationwide.”

Following the student’s report to a school counselor concerning Manchester’s disclosure, the teacher was placed on administrative leave and subsequently terminated for “inappropriate communications.”

In his ruling, Judge Mastroianni found Manchester’s lawsuit wrongly included the town as a defendant since municipalities can only be held liable if they directly cause constitutional violations. He further emphasised that the school’s interest in fostering a supportive environment for student expression takes precedence over Manchester’s free speech claims.

Manchester had argued that her actions aimed to prevent a “grave moral wrong” and avoid setting an “immoral example,” but the judge stated that “These beliefs, even if sincerely held, do not insulate (the) plaintiff from the employment related consequences of her choice to undercut the school’s greater (and constitutionally recognized) interest in protecting an inclusive and safe environment for transgender minors as a matter of law.”

The Republican (Springfield) is reporting this development.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

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