

Court Allows School District to Ban Pride Flags

A court found that a school district did not violate the First Amendment upon removing pride flags. The case surrounded the Connetquot Central School District in New York after district officials requested a teacher to remove a pride flag from her classroom, prompting protests.

Teachers then attempted to put pride stickers on their doors, but were then ordered to be removed by officials.

The lawsuit was dismissed in 2025 by U.S. District Judge Hector Gonzalez, who found that First Amendment rights were not violated because the teachers were not acting as public citizens.



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"We conclude that the teachers' classroom wall decorations constituted speech pursuant to their official duties as Government employees," judges on the U.S. Court of Appeals for the Second Circuit said in a unanimous decision. "As a result, the District did not violate their First Amendment rights when it ordered the teachers to remove them."

"We also conclude that the teachers have not plausibly pled that the District selectively enforced its policies against them because of an impermissible motivation, or that they suffered any adverse employment actions."

"Applying Garcetti, we conclude that a public high school teacher's classroom wall decorations are speech that 'owes its existence' to their 'professional responsibilities,'" Circuit Judge Alison Nathan wrote for the panel, referring to a 2006

Supreme Court case. "After all, teachers decorate their classroom walls as part of their duty to create physical classroom spaces conducive to the curricula they are assigned to teach. Those decorations are thus the Government's speech, and the First Amendment does not apply to them."

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