

District Court Throws Snag into Middle Schooler's First Amendment Rights

A Massachusetts middle-schooler's lawsuit against his school for allegedly violating his First Amendment rights has hit a snag as a district court denied his attorneys' request for a temporary restraining order to suspend the school's rules.

Liam Morrison, a 12-year-old student at Nichols Middle School in Middleborough, Massachusetts, was recently prohibited from wearing a shirt that said "there are only two genders" and sent home when he refused to take it off. He made a heartfelt appeal to the school district board of education to plead his case, but it fell upon deaf ears.

The Alliance Defending Freedom legal counsel told Fox News Digital that Morrison was "suing for the right to do what every other student in his school currently has the right to do, which is respectfully express their own view on a matter of enormous public concern."

Attorneys for the ADF and the Massachusetts Family Institute filed a federal lawsuit on behalf of Morrison and his family in April. On Wednesday, however, the U.S. District Court for the District of Massachusetts denied an injunction that would have allowed Morrison to express his views about gender during school hours.

Three months ago, shortly after he arrived at school wearing the shirt that proclaimed "there are only two genders," Morrison was pulled out of class by the school's principal and a counselor told him he must remove the shirt before being able to return to class. After he declined, Morrison's father was forced to take him home from school.

The school told Morrison's family and its legal counsel that it would continue to prohibit Morrison from wearing the shirt or any other like it, and the decision was confirmed by the district court.

Morrison claims that his school allows expressions of messages related to issues of gender identity and sexual orientation. That includes hanging pride flags and posters on transgender identities.

Alliance Defending Freedom counsel said the school encourages students to express those views, but only because they are consistent with its ideological view. Morrison's views contradict the schools.

"The school has other rules on what students can wear that it is allowed to enforce," says ADF's Logan Spina. "Liam is not asking to literally wear whatever he wants, but he is asking to do what other students are already allowed to do, which is express their view on this topic in a non-disruptive manner.

Spina calls the action censorship. School officials and the town of Middleborough argue they can censor any speech that they believe will be offensive to other students. They claim Morrison's message is "not inclusive" and that they can exclude it.

"It completely excludes him," Spina says. "But for some reason that doesn't seem to count. The First Amendment does not change depending on whether your view is popular or not."
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