



The *McCord* Case

Case Name: *McCord v. South Madison Community School Corporation*

Case Status: Complaint filed on May 18, 2023, in the U.S. District Court for the Southern District of Indiana.

Significance: Whether an educator can be fired for giving truthful information to a reporter about a controversial school district policy.



Background: Kathy McCord, a school counselor in Indiana, objected to a new policy that instructed educators to hide information from parents about their children’s wellbeing. In 2021, the South Madison Community School Corporation adopted a new “Gender Support Plan” policy, which forces staff to lie to students and parents. Without parental consent or notification, teachers are instructed to use incorrect, cross-gender pronouns for students, and then, in some cases, they are told to hide this information from the students’ parents. Kathy objected to this policy because she knows that students do best when schools and parents work together. She was uncomfortable being forced to lie to parents by using different pronouns for students at school than in communications with parents. Her supervisors told her to leave her values behind and comply or risk losing her job. When asked by a journalist to verify that South Madison was keeping parents in the dark, Kathy felt compelled to answer honestly. South Madison proceeded to fire her based on her statements to that journalist. Kathy spent over 37 years loving and caring for students. But those years meant nothing when she spoke according to her convictions. No educator should be fired for expressing her beliefs, especially when she speaks in her personal capacity on her own time and out of concern for her students. Alliance Defending Freedom filed this lawsuit on behalf of Kathy to protect her and other educators’ freedom to speak and parents’ freedom to direct the upbringing, care, and education of their children.

Key Points

- Educators have the freedom of speech, too – and they can’t be fired for expressing their objection to school policies that violate parental rights.
- Parents have a right to direct the upbringing, care, and education of their children – a right that includes being informed of their children’s struggles with sensitive topics like sex and gender.
- Schools should base policies on what is best for kids, not on unfounded science or politics.

Key Facts

- When a reporter approached Kathy asking her to confirm information he had already collected about the “Gender Support Plan” policy, Kathy agreed to speak with him in her personal capacity and gave honest answers to his questions.
- Kathy is an excellent counselor and has been in the education field for over 37 years. She loves her students and wants what’s best for them. That’s why she wants their parents involved.
- Kathy had to sit through a three-hour hearing on her firing and was then forced out, without any opportunity to leave notes about her students who were struggling with many issues.

The Bottom Line: Public employees can’t be forced to contradict their core beliefs just to keep a job.