



March 17, 2025

via U.S. mail & email

Catosha Woods
General Counsel
Houston Independent School District
4400 West 18th Street
Houston, Texas 77092-8501
cwoods@houstonisd.org

CONTAINS LITIGATION HOLD NOTICE

Re: Bellaire High School's secret social transition of student

Dear Ms. Woods,

We represent a couple, [REDACTED], whose daughter [REDACTED] is currently a [REDACTED] at Bellaire High School.

FACTUAL BACKGROUND

By way of introduction, Alliance Defending Freedom (“ADF”) promotes the freedom of every person to live and speak the truth. Among other rights, ADF is dedicated to ensuring the freedom of speech, religious freedom, and parents’ fundamental right to direct the upbringing, education, and healthcare of their children. And we have a track record of success.¹

Sometime around the fall of 2023, Bellaire employees began to refer to our clients’ daughter by a masculine name and male pronouns without notifying them or seeking their consent. Our clients found out in December 2023 when they

¹ See, e.g., *303 Creative, LLC v. Elenis*, 600 U.S. 570 (2023); *Ams. for Prosperity Found. v. Bonta*, 594 U.S. 595 (2021); *Uzuegbunam v. Preczewski*, 592 U.S. 279 (2021); *March for Life Educ. & Def. Fund v. California*, 141 S. Ct. 192 (2020); *Thompson v. Hebdon*, 589 U.S. 1 (2019); *Nat’l Inst. of Family & Life Advocates v. Becerra*, 585 U.S. 755 (2018); *Masterpiece Cakeshop, Ltd. v. Colo. Civil Rights Comm’n*, 584 U.S. 617 (2018); *Trinity Lutheran Church of Columbia, Inc. v. Comer*, 582 U.S. 449 (2017); *Zubik v. Burwell*, 578 U.S. 403 (2016) (victories for S. Nazarene Univ. and Geneva Coll.); *Reed v. Town of Gilbert*, 576 U.S. 155 (2015); *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682 (2014); *Town of Greece v. Galloway*, 572 U.S. 565 (2014); *Ariz. Christian Sch. Tuition Org. v. Winn*, 563 U.S. 125 (2011).

discovered a masculine name on their daughter's schoolwork. They told her teachers to stop using that name immediately. And their daughter's teachers assured them that they would only refer to her by her given name and female pronouns.

Despite these assurances and our clients' clear direction to stop, a few months later our clients discovered that school employees were again using the masculine name and male pronouns to refer to their daughter. Our clients again told their daughter's teachers to stop. And again, the teachers assured our clients that they would stop. But they did not.

This pattern of repeated failure culminated in a meeting with Bellaire's principal, Michael Niggli, on September 23, 2024, during which our clients asked for confirmation that school employees would only refer to their daughter by her given name and female pronouns. But instead, Principal Niggli told them they should explore a "middle ground" solution around what name she would be called at school. This response left our clients with more questions than answers.

After the meeting, our clients followed up in writing. They emailed Principal Niggli to clearly state that HISD employees should only refer to their daughter by her given name and female pronouns. But Principal Niggli again declined to provide a clear assurance to our clients. He responded that "there will be no emails with directives to call [your daughter] by any particular name."

Principal Niggli told our clients that a school counselor had communicated our clients' instructions to teachers. But teachers have ignored similar instructions from them before. So our clients still do not know whether HISD employees are following their instructions to use their daughter's given name and female pronouns.

HISD needs to assure our clients that its employees are following their instructions regarding their daughter. That assurance should include copies of HISD employees' communications sent regarding this situation.

Our clients also submitted several public-records requests under the Texas Public Information Act, Tex. Gov't Code § 552 *et seq.*, in an effort to further investigate what had happened to their daughter at school. One responsive document showed that teachers were continuing to refer to their daughter by the masculine name even after our clients met with Principal Niggli. So to understand exactly what HISD employees had been doing with their daughter, they sent a second public-records request on January 3, 2025. In response to that request, HISD initially said it had over 18,000 responsive documents. Then a month later, it responded that it had no responsive documents and closed the request. It never provided a single document responsive to that second request—or even any explanation for the discrepancy.

DEMAND

Given the pattern of failure and the existing ambiguity, we ask that HISD promptly assure us and our clients that HISD employees will refer to their daughter only by her given name and female pronouns. Please also send us copies of all correspondence sent that instructs HISD employees on how they may address our clients' daughter.

Further, because of the discrepancies surrounding our clients' open-records requests, we ask HISD to promptly provide documents responsive to the following open-records requests:

During the time period from [REDACTED], to the present:

1. Communications relating to [REDACTED], including those which refer to her as [REDACTED] to or from the following HISD employees: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
2. Documents relating to [REDACTED] visits to or interactions with school counselors, including, but not limited to, [REDACTED]
[REDACTED] This includes logs and other documentation that show when and how long visits occurred, as well as any notes, emails, or other documentation taken by school counselors during or about those visits.
3. Documents relating to HISD employees' gender-identity-related use of preferred or chosen names or pronouns for students, including policy, practice, or guidance documents, or training presentations and associated documents.

If HISD needs additional information or clarification to fulfill this open-records request, please let us know.

Finally, HISD must take immediate steps to preserve any documents related to the incidents described in this letter (including, but not limited to, documents related to the use of names and pronouns for our clients' daughter, and to any policy, practice, or custom regarding the use of names and pronouns for students during the last five years).

We hope to hear from you by the close of business on March 21, 2025. Otherwise, we will advise our clients of further legal action available to them to secure their rights under Texas and federal law.

Regards,



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