

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF BECKER

SEVENTH JUDICIAL DISTRICT

CASE TYPE: OTHER CIVIL

L.S., minor child, by and through their parent, Court File No.:
Amber Estenson,

and

COMPLAINT

C.H., minor child, by and through their
parent, Nicole Hadding,

DEMAND FOR JURY TRIAL

Plaintiffs,

v.

Detroit Lakes Public School District, ISD
No. 22; John Steffl; Sanford Nelson; Michelle
Okeson; and Michael Walther,

Defendants.

I. INTRODUCTION

1. For over two years at the public high school in Detroit Lakes, Minnesota, some teachers have posted rainbow flag stickers in their classroom window—a quiet signal that *all* students are welcome, regardless of their sexual orientation or gender identity. For LGBTQ+ students and students whose families are LGBTQ+, the simple gesture provides a sense of safety and belonging and helped them build an inclusive community.

2. But for certain board members of Detroit Lakes Public Schools (the “District”), any visible signal that welcomes LGBTQ+ students and families, however small, is intolerable. These board members would prefer to shift their schools’ culture of inclusion to one that embraces exclusion of LGBTQ+ students and families.

3. On July 27, 2026, the District's School Board (the "Board") adopted a resolution (the "LGBTQ+ Pride Ban" or the "Ban") ordering "the immediate removal of all non-school materials not funded, sponsored, or authorized by the school district. This includes but is not limited to any rainbow stickers, posters, flags, buttons, etc. displayed in Detroit Lakes Public Schools facilities."

4. Members of the Board who passed the LGBTQ+ Pride Ban were motivated by anti-LGBTQ+ bias.

5. The LGBTQ+ Pride Ban categorically prohibits rainbow stickers, posters, flags, and buttons from being displayed in the District. The Ban extends beyond classrooms and to students' backpacks. The Ban casts a pall over the school community, chilling speech supporting LGBTQ+ students, expressing LGBTQ+ student identity, and requesting support and inclusion by LGBTQ+ students and families. It also prevents LGBTQ+ students and students in LGBTQ+ families from receiving information that identifies both classrooms where they can feel safe to express themselves and students with similar identities.

6. The Ban was introduced at the Board's July 27, 2026 meeting through an oral motion by a board member. Because the LGBTQ+ Pride Ban was introduced orally and not put on the agenda ahead of the meeting, members of the public, including parents of affected students, were unaware that it would be discussed.

7. Four members of the Board voted to approve the LGBTQ+ Pride Ban, and two voted against it. The two board members who voted "No" to the LGBTQ+ Pride Ban had no forewarning of the amendment to the agenda; one later described the Ban's passage as an "ambush tactic."

8. In the wake of community backlash and press coverage, the District's legal counsel drafted another resolution for the Board to consider that would have postponed the implementation of the Ban. The Board rejected that resolution.

9. Plaintiffs are parents who want their children to have access to a public education where they can express themselves, be free from discrimination, and enjoy the full benefits of their education. Their children want and need to have access to schools that they know are safe and open for LGBTQ+ students and students in LGBTQ+ families. Their children want to be able to express their identities or show support for the LGBTQ+ community by displaying pride materials.

10. Plaintiffs bring this action to protect the rights guaranteed to their children under the Minnesota Constitution and state law.

II. JURISDICTION AND VENUE

11. This Court has jurisdiction under Minn. Stat. §§ 484.01, subd. 1(1), 555.01, and 363A.33, subd. 6.

12. Venue is proper in Becker County under Minn. Stat. §§ 542.01, 542.09, and 363A.33 because the causes of action arose based on the actions of Defendants in Becker County.

III. THE PARTIES

A. Plaintiffs Amber Estenson and L.S.

13. Plaintiff L.S. brings this claim through their mother, Amber Estenson. They are natural persons residing in Frazee, Minnesota.

14. L.S. is enrolled in and attends Detroit Lakes High School in the District.

15. L.S. is an eleventh grader at Detroit Lakes High School and has attended the high school since they started ninth grade.

16. L.S. is LGBTQ+ and is currently the president of the Detroit Lakes High School Gay Straight Alliance club (“GSA”), which recently changed its name to Detroit Lakes Queer Community (“DLQC”). L.S. joined the DLQC in the fall of their ninth grade year, became the vice-president of the club, and now serves as president.

17. Ms. Estenson presently intends for L.S. to remain enrolled in the District and attend Detroit Lakes Schools through graduation from high school. Ms. Estenson wishes for L.S. to have access to a public education free from discrimination, where L.S. can express their identity without fear of reprisal from the District.

18. Ms. Estenson also wishes for transparent processes regarding Detroit Lakes School Board meetings.

B. Plaintiffs Nicole Hadding and C.H.

19. Plaintiff C.H. brings this claim through their mother, Nicole Hadding. They are natural persons residing in Detroit Lakes, Minnesota, in the District.

20. C.H. is enrolled in and attends Roosevelt Elementary School in the District.

21. The parents of C.H. presently intend for C.H. to remain enrolled in the District through elementary, middle, and high school. Ms. Hadding wishes for C.H. to have access to a public education free from discrimination, where C.H. can express themselves without fear of reprisal from the District.

22. Ms. Hadding identifies as LGBTQ+, and wishes for C.H. to be free to share about their parents and express their identity as a member of an LGBTQ+ family without fear of reprisal from the District.

23. Ms. Hadding also wishes for transparent processes regarding Detroit Lakes School Board meetings.

C. Defendant Detroit Lakes Public Schools

24. Detroit Lakes Public Schools is a public independent school district, also known as Independent School District No. 22, which is located in Becker County and Otter Tail County.

25. The District's headquarters and schools are located in Becker County.

26. The District is governed by a six-member board elected by voters in the District. The Board makes policies for the District and is the final decision maker for how policies are implemented and interpreted.

D. Defendant John Steffl

- 27. John Steffl is a member and Chair of the Board, which is located in Becker County.
- 28. John Steffl is a resident of the District.
- 29. John Steffl assisted in coordinating and passing the LGBTQ+ Pride Ban.

E. Defendant Sanford “Sandy” Nelson

- 30. Sandy Nelson is a member of the Board, which is located in Becker County.
- 31. Sandy Nelson is a resident of the District.
- 32. Sandy Nelson assisted in coordinating and passing the LGBTQ+ Pride Ban.

F. Defendant Michelle “Mickey” Okeson

- 33. Mickey Okeson is a member of the Board, which is located in Becker County.
- 34. Mickey Okeson is a resident of the District.
- 35. Mickey Okeson assisted in coordinating and passing the LGBTQ+ Pride Ban.

G. Defendant Michael Walther

- 36. Michael Walther is a member of the Board, which is located in Becker County.
- 37. Michael Walther is a resident of the District.
- 38. Michael Walther assisted in coordinating and passing the LGBTQ+ Pride Ban.

IV. FACTUAL BACKGROUND

A. The District Adopted an Unlawful Policy Requiring the Removal of LGBTQ+ Pride Materials, Including Rainbow Stickers, Flags, and Symbols.

39. At the July 27, 2026 Detroit Lakes School Board meeting, Board Member Nelson made a motion to amend the previously published agenda to add an action item banning LGBTQ+ pride materials in the District.

40. This amendment was not conveyed to the public or school district employees prior to the meeting and stemmed from what he described as “private discussions across the board.” As such, members of the public or school district employees were not afforded an opportunity to opine on the action item.

41. The District School Board meeting agenda procedures state: “Items may be added to the agenda only by a motion adopted at the meeting. If a board member intends to add an item to the agenda, notice must be given 24 hours prior to the meeting to all board members and the superintendent. If an added item is acted upon, the minutes of the school board meeting shall include a description of the matter.”

42. In violation of this policy requiring 24-hour notice of a proposal to add an item to the agenda, the Board passed Defendant Nelson’s motion to add the LGBTQ+ Pride Ban to the agenda.

43. Defendant Nelson’s action item called for “the immediate removal of all non-school materials not funded, sponsored, or authorized by the school district. This includes but is not limited to any rainbow stickers, posters, flags, buttons, etc. displayed in Detroit Lakes Public Schools facilities.”

44. A core concern of the LGBTQ+ Pride Ban were small, 2x3-inch rainbow stickers on some District classroom doors. These rainbow stickers are known as “safe space” stickers in

education spaces, which signal to students that the classroom is welcoming to *all* students regardless of sexual orientation or gender identity.

45. Prior to the vote, the principal of the District’s high school confirmed that, despite being present for years, the rainbow stickers had never been an issue at the high school. She had never heard a concern from a student, parent, or teacher about the presence of the stickers.

46. Defendants Steffl, Okeson, Walther, and Nelson voted to pass the LGBTQ+ Pride Ban. Two other Board members voted against passing the LGBTQ+ Pride Ban.

47. Prior to the vote, the District’s superintendent noted that the four members who voted for the Ban had routinely had private conversations about it. The superintendent also raised concerns about violations of Minnesota’s Open Meeting Law because the two board members who voted against the Ban had no idea that the Ban was being discussed. Board member Nelson dismissed those concerns.

48. At the July 27, 2026, Defendant Nelson said “I’ve heard the discussions. And I know there’s been lots of private discussions across the board. People need to know, there’s been private discussions between individuals in many different ways...”

49. At that meeting, Defendant Wolther admitted that people may, “fault us for doing it the wrong way.”

50. Detroit Lakes School Board member Julie Smith-Yliniemi, who voted against the LGBTQ+ Pride Ban, told the Star Tribune that Defendants Nelson, Steffl, Okeson, and Walther “planned behind our back and knew they were going to do this on Monday.”¹

¹ Kim Hyatt, THE MINNESOTA STAR TRIBUNE, *Detroit Lakes school leader ‘blindsided’ by vote banning LGBTQ Pride rainbows*, (July 30, 2026), <https://www.startribune.com/detroit-lakes-school-leader-blindsided-by-vote-banning-lgbtq-pride-rainbows/601873581>

51. The Board was aware of the ramifications the LGBTQ+ Pride Ban would have on LGBTQ+ students and those with LGBTQ+ family members. As one school board member stated when arguing against the Ban, the “safe space stickers” are a “small symbol” that can have a large impact on the mental wellbeing of LGBTQ+ students. She called the LGBTQ+ Pride Ban what it was: a “political thing.”

52. Board members who voted in favor of the LGBTQ+ Pride Ban did so on the basis of their personal political and religious ideologies. In stating her position on the LGBTQ+ Pride Ban motion, Defendant Okeson supported her position by arguing that “back in 2015 when the same-sex marriage law was passed, at that time it was just lesbian and gay, and now all of a sudden we’re all [] up to T and plus too.” She further emphasized her political ideology regarding the Ban, going on to say: “We’re seeing on the news that now we might be having dolls that you can tear off body parts. That is on the news. It is creating insecurity in parents.”

53. In an interview with the Star Tribune, Defendant Steffl stated the LGBTQ+ Pride Ban would apply to Pride patches on backpacks, as well as “Blue Lives Matter flags, Black Lives Matter material and the National Rifle Association.” When asked if the LGBTQ+ Pride Ban would apply to cross necklaces, Defendant Steffl hesitated then stated, “I’m a Christian so that doesn’t bother me.”²

54. Defendant Steffl’s hesitation when asked about the extent of the LGBTQ+ Pride Ban further confirms the LGBTQ+ Pride Ban’s vagueness and overbreadth.

² Karen Tolkkinen, THE MINNESOTA STAR TRIBUNE, *Tolkkinen: If Pride stickers go from Detroit Lakes schools, gold crosses should as well* (Sept. 2, 2026), <https://www.startribune.com/tolkkinen-if-the-pride-stickers-go-from-the-detroit-lakes-schools-then-gold-crosses-should-as-well/601882838>.

55. Defendant Steffl’s statement that cross necklaces are permissible because he’s “a Christian so that doesn’t bother [him]” confirms that the LGBTQ+ Pride Ban is not based on neutrality, but rather the personal viewpoints of a simple majority of the Board.

56. While Defendant Steffl listed other types of flags and material that the LGBTQ+ Pride Ban would purportedly extend to, only “rainbow” materials, associated with the LGBTQ+ community, were explicitly listed in the Ban. And the discussion about the LGBTQ+ Pride Ban at the August 24, 2026 board meeting revolved around its impacts on the LGBTQ+ community. It was clear to the public that the LGBTQ+ Pride Ban had a specific purpose that impacted a specific group.

B. The Board Declined to Adopt a Resolution Drafted by the District’s Legal Counsel that Attempted to Salvage the LGBTQ+ Pride Ban.

57. At the Board’s August 24, 2026 meeting, the Board considered a “Resolution Regarding Display of Non-School Materials” that was drafted by the District’s legal counsel (“the Postponement Resolution”).

58. The Postponement Resolution specifically pointed to the language in the LGBTQ+ Pride Ban that referred to “rainbow stickers, posters, flags and buttons” and stated it had “created confusion at the administrative level about the scope of the School Board’s directive.”

59. The Postponement Resolution proposed postponing implementation of the LGBTQ+ Pride Ban in order to “clarify any confusion” and to “ensure the District remains neutral on matters involving political, social, religious, or other controversial topics in which different perspectives and ideologies are present at the local, state, and national levels.”

60. Despite the alert about administrative confusion on how to implement the LGBTQ+ Pride Ban, and despite the warning that the LGBTQ+ Pride Ban was not neutral, the Board—in a tied vote—rejected the Postponement Resolution recommended by District staff.

61. Because the Board rejected the Postponement Resolution, the LGBTQ+ Pride Ban remained in effect when school began on September 1, 2026.

C. The Ban is Motivated by Anti-LGBTQ+ Animus.

62. Members of the Board who voted for the LGBTQ+ Pride Ban claimed later that they did so in the spirit of neutrality. Their ex parte communications reveal they were, in fact, motivated by anti-LGBTQ+ bias.

63. On July 15, 2026, Defendant Okeson texted Defendant Nelson a link to a YouTube video titled “Teaching Kids They’re Either Victims or Oppressors is Breaking Society.” The video features Katharine Birbalsingh, who is self-proclaimed as “Britain’s strictest headmistress.” Ms. Birbalsingh advocates for returning to “small-c conservative values” and criticizes that the only history contemporary students are learning in schools is about “black and brown people fighting for equality against the white man. Women fighting men for the vote. Gay and trans people fighting for various rights.”³ This was the message Defendants Okeson and Nelson were carrying into the July 27, 2026 Board meeting.

64. This exchange of anti-LGBTQ+ animus continued leading up to the Board meeting. On July 18, 2026, one week before the Ban was introduced, Defendant Okeson texted Defendant Nelson again, this time with a link to an organization called “Courage Is A Habit” (“CIAH”).⁴

³ ALLIANCE FOR RESPONSIBLE CITIZENSHIP, “*This is a civilisational failure!*” – *World’s Strictest Headmistress Katharine Birbalsingh* [ARC26], (YouTube, June 25, 2026), https://www.youtube.com/watch?v=Eqj_SnTIhNY.

⁴ *Protect Your Child: Tactical Tools | Courage Is A Habit*, COURAGEISAHABIT.ORG, <https://courageisahabit.org/> (last visited, September 20, 2026).

65. CIAH’s mission states: “Reject inclusion. **EMBRACE EXCLUSION. Make courage your habit.**” CIAH’s website contains articles driven by right-wing conspiracies about LGBTQ+ students in schools.

66. For instance, one article featured on CIAH’s homepage is titled “Transgender Secrets Is Child Abuse” and criticizes public school districts for “pushing the toxic lie that a child can be born in the wrong body.” The same article calls on its readers to “Take The Offense Now” and demands “[y]ou must back school administrators into a legal corner and make compliance mandatory.” That is exactly what four Board Members did when they instituted the LGBTQ+ Pride Ban, requiring the District’s superintendent to oversee the “immediate removal” of “rainbow” items.

67. CIAH features a “tactics” page for school board members which encourages newly elected school board members to stand firm against “dishonest radical leftwing activists.”

68. The fact that Board members were sharing videos and articles carrying far right and anti-LGBTQ+ messages with each other, *one week* before they instituted the LGBTQ+ Pride Ban, supports the conclusion that their decisions to enact the Ban were plotted and motivated by anti-LGBTQ+ animus and political ideology.

69. Certain Board members used the term “neutrality” as a shield, but their actions and internal communications demonstrated clear animus based on sexual orientation and gender identity.

D. The District’s Ban and the Certain Board Member’s Animus Toward LGBTQ+ Students and Families has had Chilling Effects.

70. The LGBTQ+ Pride Ban took Detroit Lakes community members by surprise, but its sentiment and targeting of the LGBTQ+ community was familiar to many current and former students.

71. Plaintiff L.S. is aware of that history of animus and bullying toward the LGBTQ+ community firsthand, as she understands that the DLQC club stopped putting up posters at school after their posters inviting students to a movie night were ripped down from school walls. The Ban not only condones that targeted removal—it mandates it.

72. Indeed, since the Ban was passed, Plaintiff L.S. has seen evidence at school of teachers' rainbow stickers being ripped down or vandalized. On information and belief, at least one LGBTQ+ teacher's rainbow sticker was ripped down by students after adoption of the Ban.

73. At the August 24, 2026 Board meeting, close to a dozen community members and district employees shared their views about the LGBTQ+ Pride Ban with the Board. Some were former students who identify as LGBTQ+ who stated that rainbow stickers in classroom doors told them which teachers they could turn to in some of the most isolating periods of their life. As one former student stated, "[i]t meant at least one person would stick up for me." The rainbow stickers had the power to save students' lives.

74. Even the statements made by the few community members who spoke in favor of the LGBTQ+ Pride Ban highlighted how the Ban was specific to the LGBTQ+ community.

75. On Plaintiff L.S.'s first day of school this year, they wore rainbows in protest of the LGBTQ+ Pride Ban. During an outside activity, a teacher asked L.S. to join a group of junior boys, and when they did, the boys told L.S. that L.S. was violating the ban, and that L.S. could not wear rainbows to school.

76. Plaintiff L.S. is aware of students who considered wearing a rainbow sticker or other expression of support for LGBTQ+ students to school, but didn't, expressing fear of punishment by school administration.

77. Plaintiff L.S. is also worried that if teachers cannot express inclusivity for LGBTQ+ high school students, and cannot express their own identities, that there could be LGBTQ+ students who no longer feel safe or know where to go for support at school. Plaintiff L.S. previously attended school in a district where L.S. believes that anti-LGBTQ+ bullying of a student led to that student passing away due to suicide. Plaintiff L.S. does not want that kind of bullying and exclusion to happen to anyone at L.S.'s high school.

78. Ms. Hadding's family has grappled with whether it is safe for C.H. to share their parents' identities at school. In response to the LGBTQ+ Pride Ban, the family has considered limiting to whom they share their identities, and even considered whether to instruct C.H. to limit their own speech and expression regarding their family.

79. The messages from the Board members who passed the LGBTQ+ Pride Ban, along with the adoption of a policy that is motivated by anti-LGBTQ+ animus, have chilled the free speech rights of teachers and students throughout the District.

80. Prior to the LGBTQ+ Pride Ban, for years, rainbow stickers were allowed to be displayed throughout the District. The Ban outlaws these previously allowed rainbow stickers. Indeed, if teachers or students display rainbow stickers now, they could face disciplinary action.

81. The vague and overbroad language of the Ban invites selective enforcement. Because the only example in the Ban relates specifically to LGBTQ+ materials, the Board's clear intention is to focus its efforts on those materials.

82. Based on the language of the Ban, the direction given to the superintendent by the Board for "the immediate removal" of pride materials, and the animus of certain Board members, speech in support of LGBTQ+ students and families will be chilled.

COUNT I
VIOLATION OF MINN. CONST., Art. I, § 3 (Free Speech: Content-Based Restriction)
Claim for Injunctive and Declaratory Relief Against the District

83. Plaintiffs incorporate by reference each and every paragraph above as though fully set forth herein.

84. The District is a government entity and is therefore prohibited from infringing on the free speech rights of its students and staff members under the Minnesota Constitution, Art. I, § 3.

85. Article I, Section 3 of the Minnesota Constitution protects the rights of “all persons,” including public school students, to “freely speak, write and publish their sentiments on all subjects.”

86. The inherent rights of free speech protected by the state constitution also protect the right to receive information and ideas.

87. The rights of students to display or wear stickers that identify themselves as a member of the LGBTQ+ community, or an ally of that community, are protected by Minnesota’s Constitution. Access to a variety of viewpoints, perspectives, ideas, and information is the very foundation of a strong public education system, which forms the foundation of a free society.

88. For these reasons, viewpoint-based restrictions on speech by government officials are especially odious and are presumptively unconstitutional.

89. The District adopted the LGBTQ+ Pride Ban, a policy that categorically prohibits “non-school related materials” including rainbow flags, stickers, and posters.

90. The Board adopted the LGBTQ+ Pride Ban based on a desire to impose the anti-LGBTQ+ viewpoints of a majority of its members on students and staff members.

91. The Board adopted the LGBTQ+ Pride Ban to restrict the communication of ideas, identities, and information that its members found objectionable, in violation of the students' right to receive information about LGBTQ+ identity issues.

92. The LGBTQ+ Pride Ban mandates the immediate removal of any rainbow flags, stickers, or symbols in schools, including from students' backpacks.

93. The LGBTQ+ Pride Ban does not grant any discretion to District officials to make decisions on a case-by-case basis for rainbow symbols.

94. The LGBTQ+ Pride Ban is a content-based and viewpoint-based restriction on the expression of ideas, and is therefore subject to strict scrutiny under the Minnesota Constitution, Article I, § 3.

95. The LGBTQ+ Pride Ban is not narrowly tailored to advance a compelling government interest.

96. The LGBTQ+ Pride Ban is not substantially related to any important government interest.

97. The LGBTQ+ Pride Ban and the District's removal of pride flags and rainbow symbols pursuant to that policy is not rationally related to any legitimate government interest.

98. The District is liable for violations of Plaintiffs' rights under the Minnesota Constitution, Article I, § 3.

99. Plaintiffs have been injured by the District's violations of the Minnesota Constitution, Article I, § 3 because they can no longer express their viewpoints, ideas, and identities, and they are similarly restricted from receiving information related to those viewpoints, ideas, and identities.

100. As a result of the District's violations of the rights guaranteed to Plaintiffs by the Minnesota Constitution, Plaintiffs are entitled to an order under Minn. Stat. § 555.01 declaring that the District's LGBTQ+ Pride Ban and removal of materials pursuant to that Ban violated the Constitutional rights of its students; a permanent injunction requiring the District to restore materials it removed pursuant to the Ban; a permanent injunction prohibiting enforcement of the Ban; nominal damages under the Remedies Clause of the Minnesota Constitution; reasonable attorneys' fees, costs and disbursements; and all other relief as the Court deems just and proper.

COUNT II
VIOLATION OF MINN. CONST., Art. I, § 3 (Free Speech: Limited Public Forum)
Claim for Injunctive and Declaratory Relief Against the District

101. Plaintiffs incorporate by reference each and every paragraph above as though fully set forth herein.

102. Article I, Section 3 of the Minnesota Constitution protects the rights of "all persons," including public school students, to "freely speak, write and publish their sentiments on all subjects."

103. A "limited public forum" is established when the government creates a channel or forum for expression dedicated to specific groups or discussion of specified topics.

104. The District established a limited public forum by permitting teachers to place non-school materials in their classrooms, including rainbow "safe space" stickers for several years, until the LGBTQ+ Pride Ban was instituted.

105. Through that limited public forum, teachers were permitted to share ideas and information directly with students.

106. The District's Ban restricts speech in that limited public forum in a manner that is not viewpoint neutral or reasonable.

107. As the discussion by the Board and the only example of banned material in the District's resolution makes clear, the Ban specifically targets rainbows because of the ideological viewpoint of certain Board members.

108. The Ban serves no purpose other than to suppress speech based on viewpoint.

109. The Ban does not allow for alternative channels in which speech related to LGBTQ+ identities can occur. As comments from Board members confirm, the Ban extends beyond the classroom to students' backpacks and potentially other settings.

110. For these reasons, the Ban violates the Minnesota Constitution's protections on free speech.

111. The District is liable for violations of Plaintiffs' rights under the Minnesota Constitution, Article I, § 3.

112. Plaintiffs have been injured by the District's violations of the Minnesota Constitution, Article I, § 3 because the new, viewpoint-based restriction of teacher speech in the limited public forum chills all speech related to LGBTQ+ identity and expression in the District, and because Plaintiffs can no longer express their viewpoints, ideas, and identities in the limited public forum created by the District.

113. As a result of the District's violations of the rights guaranteed to Plaintiffs by the Minnesota Constitution, Plaintiffs are entitled to an order under Minn. Stat. § 555.01 declaring that the District's LGBTQ+ Pride Ban and removal of materials pursuant to the Ban violated the Constitutional rights of its students; a permanent injunction requiring the District to restore materials it removed pursuant to the Ban; a permanent injunction prohibiting enforcement of the Ban; nominal damages under the Remedies Clause of the Minnesota Constitution; reasonable attorneys' fees, costs and disbursements; and all other relief as the Court deems just and proper.

COUNT III
VIOLATION OF MINNESOTA CONSTITUTION, Art. I, § 2 (Equal Protection)
Claim for Injunctive and Declaratory Relief Against the District

114. Plaintiffs incorporate by reference each and every paragraph above as though fully set forth herein.

115. Minnesota law prohibits discrimination based on sexual orientation and gender identity in education.

116. Article I, § 2 of the Minnesota Constitution guarantees that no person “shall be disfranchised or deprived of any of the rights or privileges secured to any citizen thereof. . .” and Minnesota courts have found that this guarantee includes equal protection principles.

117. Article I, § 2 of the Minnesota Constitution provides for equal protection of the laws and prohibits a government entity, including a school district, from discrimination on the basis of sexual orientation and gender identity. *See N.H. v. Anoka-Hennepin School Dist. No. 11*, 950 N.W.2d 553, 570 (Minn. Ct. App. 2020).

118. Plaintiffs have been injured by the District’s violations of the Minnesota Constitution, Article I, § 2 because they are being deprived of equal protection of the laws on the basis of sexual orientation and gender identity.

119. The LGBTQ+ Pride Ban was motivated by anti-LGBTQ+ animus and, therefore, violates the equal protection rights of students who identify as LGBTQ+ and students with LGBTQ+ parents or family members.

120. The LGBTQ+ Pride Ban does not target materials reflecting the identities of any other group of students. As such, Plaintiffs are being deprived of the privileges secured to other students.

121. As a result of the District's violations of the rights guaranteed to Plaintiffs by the Minnesota Constitution, Plaintiffs are entitled to an order under Minn. Stat. § 555.01 declaring that the District's LGBTQ+ Pride Ban and the removal of materials pursuant to that Ban violate the Constitutional rights of its students; a permanent injunction requiring the District to restore the materials it removed pursuant to the Ban; a permanent injunction prohibiting enforcement of the Ban; reasonable attorneys' fees, costs and disbursements; and all other relief as the Court deems just and proper.

COUNT IV
VIOLATION OF THE MINNESOTA HUMAN RIGHTS ACT
Claim for Injunctive and Declaratory Relief Against the District

122. Plaintiffs incorporate by reference each and every paragraph above as though fully set forth herein.

123. The Minnesota Human Rights Act ("the MHRA") prohibits discrimination on the basis of sexual orientation and gender identity.

124. The MHRA defines sexual orientation as "whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities." Minn. Stat. § 363A.03, subd. 44.

125. The MHRA defines gender identity as "person's inherent sense of being a man, woman, both, or neither. A person's gender identity may or may not correspond to their assigned sex at birth or to their primary or secondary sex characteristics. A person's gender identity is not necessarily visible to others." Minn. Stat. § 363A.03, subd. 50.

126. The MHRA expressly prohibits "discrimination in any manner in the full utilization of or benefit from any educational institution" on the basis of sexual orientation or gender identity.

Minn. Stat. § 363A.13, subd. 1. The District is an educational institution, as defined by the MHRA, and is therefore subject to the MHRA. Minn. Stat. § 363A.13, subd. 14.

127. Under Minn. Stat. § 363A.13, subd. 2, “[i]t is an unfair discriminatory practice to exclude, expel, or otherwise discriminate against a person seeking admission as a student, or a person enrolled as a student because of race, color, creed, religion, national origin, sex, gender identity, age, marital status, status with regard to public assistance, sexual orientation, or disability.”

128. LGBTQ+ pride materials, including rainbows, are proxies for the LGBTQ+ community.

129. The District’s Ban constitutes an unfair, discriminatory, or otherwise unlawful practice because it removes, bans, and restricts the display of pride symbols in schools based solely on their association with the LGBTQ+ community. Those actions constitute discrimination on the basis of sexual orientation and gender identity.

130. Plaintiffs are entitled to enforce their rights under the MHRA through a civil action. Minn. Stat. § 363A.28, subd. 1.

131. Plaintiffs are entitled to an order under Minn. Stat. § 555.01 declaring that the LGBTQ+ Pride Ban and removal of materials pursuant to the Ban violates Minn. Stat. § 363A.13; a permanent injunction requiring the District to restore the materials it removed pursuant to the Ban; a permanent injunction prohibiting enforcement of the Ban; reasonable attorneys’ fees, costs and disbursements; and all other relief as the Court deems just and proper.

COUNT V
VIOLATIONS OF MINN. STAT. § 13D.06 (Open Meeting Law)
Claim for Civil Penalties Against Defendants Steffl, Nelson, Okeson, and Walther

132. Plaintiffs incorporate by reference each and every paragraph above as though fully set forth herein.

133. The Board is a public school board and governing body of a school district and is therefore subject to open meeting laws under Minn. Stat. § 13D.01.

134. Pursuant to Minn. Stat. § 13D.01, subd. 1(b)(1), all school board meetings must be open to the public.

135. Serial meetings in groups of less than a quorum of the board violate Minn. Stat. § 13D.01 when the purpose of the meetings is to avoid public hearings or fashion an agreement on an issue.

136. Minn. Stat. § 13D.01, subd. 6 requires “at least one copy of any printed materials relating to the agenda of items of the meeting prepared or distributed by or at the direction of the governing body or its employees.”

137. Defendants Nelson, Steffl, Okeson, and Walther engaged in serial private meetings for the purpose of reaching agreement to introduce and vote for the LGBTQ+ Pride Ban.

138. Neither Defendant Nelson, nor Defendants Steffl, Okeson, or Walther, placed the LGBTQ+ Pride Ban on the prepared agenda for the July 27, 2026 School Board meeting. They did not notify other school board members of their plans regarding the LGBTQ+ Pride Ban, and they did not notify the public of their plans regarding the Ban.

139. Defendant Nelson placed the resolution to adopt the Ban on the agenda orally, after the July 27, 2026 meeting had started. He did not provide a written copy of the resolution.

140. Plaintiffs are entitled to an order under Minn. Stat. § 555.01 declaring that the manner in which the LGBTQ+ Pride Ban was introduced and passed violates Minn. Stat. § 13D.01; holding Defendants Nelson, Steffl, Okeson, and Walther personally liable for violations of § 13D.01; imposing civil penalties for each violation; awarding reasonable attorneys' fees, costs and disbursements; and all other relief as the Court deems just and proper.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court enter judgment in Plaintiffs' favor and award the following relief:

A. An order declaring that Defendant Detroit Lakes Public School District's LGBTQ+ Pride Ban, and removal of materials pursuant to that policy, violates the Minnesota Constitution, Article I, § 3 and Article I, § 2, and Minnesota Statutes § 363A.13, Subd. 1.

B. An order declaring that Defendants Steffl, Okeson, Walther, and Nelson violated Minnesota Statutes § 13D.01 through their nonpublic coordination of the LGBTQ+ Pride Ban.

C. A permanent injunction prohibiting Defendant Detroit Lakes Public School District from removing non-school related materials pursuant to the LGBTQ+ Pride Ban Policy or otherwise enforcing the Ban;

D. A permanent injunction requiring Defendant Detroit Lakes Public Schools to restore any materials that were removed pursuant to the Ban;

E. Nominal damages pursuant to the Remedies Clause of the Minnesota Constitution;

F. Civil penalties against Defendants Steffl, Nelson, Okeson, and Walther, pursuant to Minnesota Statutes § 13D.06, subd. 1.

G. Reasonable attorneys' fees, costs, and disbursement; and

H. All other relief as the Court deems just and proper.

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury, pursuant to Minnesota Rule of Civil Procedure 38.01.

Dated: September 22, 2026

LOCKRIDGE GRINDAL NAUEN PLLP

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ACKNOWLEDGMENT

The party upon whose behalf this pleading is submitted, by and through the undersigned, hereby acknowledges that costs, disbursements, and reasonable attorney fees and witness fees may be awarded to the party against whom the allegations in this pleading are asserted, pursuant to Minnesota Statute § 549.211.

Dated: September 22, 2026

/s/Kate M. Baxter-Kauf