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# Students Sue Department of Defense Schools Over Curriculum Changes, Book Bans

Students around the globe impacted by censorship of materials about race and gender in military-run schools

**Case:** [E.K. v. Department of Defense Education Activity](#)

**Affiliates:** [ACLU of Virginia](#), [ACLU of Kentucky](#)

April 15, 2025 2:30 pm

## ACLU Affiliates

[ACLU of Virginia](#)

[ACLU of Kentucky](#)

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QUANTICO, Va. – Students in Department of Defense Education Activity (DoDEA) schools on military bases sued today, arguing that DoDEA’s book removals and curricular changes following several executive orders from President Donald Trump violate their First Amendment rights. DoDEA operates 161 schools across 11 countries, seven states, Guam, and Puerto Rico.

The suit was filed on behalf of 12 students from six families, ranging in age from pre-K to 11th grade, that attend DoDEA schools as children of active duty servicemembers stationed in Virginia, Kentucky, Italy, and Japan. Since January, their schools have systemically removed books, altered curricula, and canceled events that the government has accused of promoting “gender ideology” or “divisive equity ideology.” This has included materials about slavery, Native American history, LGBTQ identities and history, and preventing sexual harassment and abuse, as well as portions of the Advanced Placement (AP) Psychology curriculum.

“Learning is a sacred and foundational right that is now being limited for students in DoDEA schools,” said **Natalie Tolley, a plaintiff on behalf of her three children in DoDEA schools.** “The implementation of these EOs, without any due process or parental or professional input, is a violation of our children's right to access information that prevents them from learning about their own histories, bodies, and identities. I have three daughters, and they, like all children, deserve access to books that both mirror their own life experiences and that act as windows that expose them to greater diversity. The administration has now made that verboten in DoDEA schools.”

In January 2025, President Donald Trump signed three executive orders which led to these removals: [Executive Order \(EO\) 14168](#) titled “Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government”; [EO 14185](#) titled “Restoring America’s Fighting Force”; and [EO 14190](#) titled “Ending Radical Indoctrination in K-12 Schooling.” The suit names Secretary of Defense Pete Hegseth and administrators of the DoDEA system, arguing that by revoking students’ access to books and curricula about race and gender, defendants are harming students’ First Amendment right to receive information.

“Students in DoDEA schools, though they are members of military families, have the same First Amendment rights as all students,” said **Emerson Sykes, senior staff attorney with the ACLU’s Speech, Privacy, and Technology Project.** “Like everyone else, they deserve classrooms where they are free to read, speak, and learn about themselves, their neighbors, and the world around them. These schools are some of the most diverse and high achieving in the

nation, making it particularly insulting to strip their shelves of diverse books and erase women, LGBTQ people, and people of color from the curriculum to serve a political goal. Our clients deserve better, and the First Amendment demands it.”

The Department of Defense has also prohibited cultural awareness months, including Black History Month, Pride Month, Women’s History Month, and National Hispanic Heritage Month. Schools have also released guidance for yearbooks to prohibit students from using them to promote “gender ideology” or “social transition.” Books banned within some DoDEA schools have reportedly included “The Kite Runner” by Khaled Hosseini; “Freckleface Strawberry” by Julianne Moore; “Hillbilly Elegy” by Vice President JD Vance; “The Antiracist Kid” by Tiffany Jewell; and a preparation guide for the AP Psychology exam.

“By quarantining library books and whitewashing curricula in its civilian schools, the Department of Defense Education Activity is violating students’ First Amendment rights,” said **Matt Callahan, senior supervising attorney at the ACLU of Virginia**. “The government can’t scrub references to race and gender from public school libraries and classrooms just because the Trump administration doesn’t like certain viewpoints on those topics.”

“Our clients have a right to receive an education that includes an open and honest dialogue about America’s history,” said **Corey Shapiro, legal director for the ACLU of Kentucky**. “Censoring books and canceling assignments about the contributions of Black Americans is not only wrong, but antithetical to our First Amendment rights.”

The suit was filed in the U.S. District Court for the Eastern District of Virginia by the American Civil Liberties Union, the ACLU of Virginia, and the ACLU of Kentucky.

The complaint can be viewed here: [https://www.aclu-ky.org/sites/default/files/field\\_documents/ek\\_v\\_dodea\\_-\\_2025.04.15\\_ecf\\_001\\_-\\_complaint.pdf](https://www.aclu-ky.org/sites/default/files/field_documents/ek_v_dodea_-_2025.04.15_ecf_001_-_complaint.pdf)



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## **E.K. v. Department of Defense Education Activity**

Whether the Department of Defense Education Activity can remove educational material related to race and gender from its libraries and classrooms in K-12 schools.

**Status:** Ongoing

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### **Court Rules Rümeysa Öztürk's Lawsuit Should Move Forward in Vermont and Orders ICE to Transfer Her Back to New England**

BURLINGTON, Vt. – The U.S. District Court for the District of Vermont ruled that Rümeysa Öztürk's challenge to her unconstitutional detention by Immigration and Customs Enforcement (ICE) should continue in Vermont and that the government should transfer her back to a facility in Vermont no later than May 1. The court stayed its order

for four days to allow either party to appeal. The court also set a bail hearing for May 9 and a hearing on the merits of the habeas petition on May 22. Rümeyssa is a former Fulbright scholar and current Ph.D. student at Tufts University. She was taken by plainclothes ICE agents in Somerville, Massachusetts on March 25. For nearly 24 hours, Ms. Öztürk's attorney was unable to locate her as ICE quickly and quietly moved her to three separate locations in three different states — including Vermont — before shipping her to Louisiana. She has not been charged with any crimes. Since she's been in ICE custody in Louisiana, Ms. Öztürk has suffered multiple asthma attacks and has yet to receive the proper medication. Ms. Öztürk's legal team had argued that allowing this case to play out in Louisiana — thousands of miles away from her home in Massachusetts — would reward the Trump administration's unlawful attempt to suppress dissent and manipulate federal court jurisdiction. According to the new order from the federal court, "The government thus admits that from the time ICE agents arrested Ms. Öztürk to the time she arrived at the Louisiana detention facility, it was keeping her location a secret." Her lawyers also argued that she should be released immediately as she has not been charged with any crime. According to the "evidence" the government submitted, the only basis for her unlawful imprisonment was an op-ed she co-wrote with three other people in *The Tufts Daily*. Since the government took Ms. Öztürk, her community at Tufts and around the country have rallied around her. Over 20 friends, colleagues, and professors, including the president of Tufts University, have sent letters of support to the court detailing Ms. Öztürk's dedication to her work and her community and asking for her release. On April 10, for the first time in years, the Tufts Democrats and Tufts Republicans drafted and signed a joint statement condemning the Trump administration's arrest and detention of Rümeyssa Öztürk, as well as the government's broader attack on international students and the right to free speech. A coalition of Jewish organizations including J Street, Bend the Arc, JALSA, and Temple Emanu-El, has also come to Ms. Öztürk's defense, submitting a proposed amicus brief to the court. Ms. Öztürk is represented in immigration court by Mahsa Khanbabai and Marty Rosenbluth, and in federal court by Mahsa Khanbabai, the American Civil Liberties Union, ACLU of Massachusetts, ACLU of Vermont, CLEAR, and Emery Celli Brinckerhoff Abady Ward & Maazel LLP. The following are quotes from Ms. Öztürk's legal team: Noor Zafar, staff attorney with ACLU's Immigrants' Rights Project: "It is the fundamental job of the judiciary to stand up to this kind of government manipulation of our basic rights. We hope the court's definitive ruling sends a strong message to other courts around the

country facing government attempts to shop for favorable jurisdictions by moving people detained on unconstitutional immigration charges around and making it difficult or impossible for their lawyers to know where to seek their immediate release.” Mahsa Khanbabai of Khanbabai Immigration Law: “I am pleased that the federal court has ruled to bring Rümeyssa home to New England and look forward to her bail hearing so she can be set free. A university op-ed advocating for human rights and freedom for the Palestinian people should not lead to imprisonment. Our immigration laws should not be manipulated to rip people away from their homes and their loved ones. This country is built on checks and balances, and I am confident that the courts will uphold our most basic and fundamental rights.” Lia Ernst, legal director, ACLU of Vermont: “We are grateful to Judge Sessions for understanding the urgency of Rümeyssa’s circumstances and not only confirming that Vermont is the right venue to hear her case, but also ordering the government to transfer her to Vermont. Today’s ruling rightfully affirms that the government cannot undermine the justice system and attempt to manipulate a case’s jurisdiction by secretly transporting and imprisoning someone over a thousand miles from home.” Jessie Rossman, legal director, ACLU of Massachusetts: “With this ruling, a federal court has rightfully reaffirmed that Rümeyssa Öztürk’s case belongs in Vermont — significantly closer to her friends, community, and counsel. At the same time, the judge sent a clear message that any attempt to manipulate the judiciary is simply wrong. Judge Sessions held that the government’s removal of Rümeyssa from Vermont to Louisiana violated the spirit of the emergency order from the federal court in Massachusetts. This is a crucial step for upholding the rule of law in our country.”a Ramzi Kassem, co-director & founder, CLEAR: “The court today saw through this government’s dilatory tactics and its attempts at jurisdictional manipulation in a reprehensible effort to punish Rümeyssa for speaking out for Palestinian human rights. By ordering Rümeyssa returned to the District of Vermont, the Court vindicates not only her rights, but strikes a salutary note for our Constitution and everyone’s right to speak up about the same issue. We look forward to the next steps, and will continue to push until Rümeyssa is free.” Matthew Brinckerhoff, Emery Celli Brinckerhoff Abady Ward & Maazel LLP: “Ms. Öztürk is being punished for exercising the most quintessentially American right to speak out on issues of public concern in, of all places, a student newspaper. The First Amendment protects all persons on American soil. She should not have been detained for 24 seconds, much less the 24 days and counting she has endured.”

**Court Case:** Öztürk v. Trump

**Affiliates:** Vermont, Massachusetts

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**Free Speech** **Immigrants' Rights**

## **ACLU Advises University General Counsels on Legal Limits on ICE's Authority**

NEW YORK – The American Civil Liberties Union this week shared an open letter to general counsels at colleges and universities across the nation outlining their responsibilities and rights when dealing with Immigration and Customs Enforcement (ICE) investigations and enforcement actions. Amid the growing retaliatory crackdown against noncitizen students for their First Amendment-protected speech and advocacy, the open letter explains that colleges and universities are not violating the law by providing housing or services to noncitizen students, including students whose visas have been revoked by the government. It further advises institutions that they are legally able to refuse to comply with warrantless searches of non-public areas, like dorm rooms, by ICE agents. The letter also outlines a legal framework for responding to administrative subpoenas from ICE. In consultation with legal counsel, universities generally maintain the right to not respond to administrative subpoenas unless and until ICE obtains an enforcement order from a judge. Universities also have the right to

publicize the subpoenas or alert students if their information has been targeted by an ICE subpoena. “Universities must do everything they can to protect their students from intimidation or targeting by ICE, and they have the legal right to do so,” said Nathan Freed Wessler, deputy director of the ACLU’s Speech, Privacy, and Technology Project. “We reject the federal government’s extreme claim that housing and educating noncitizen students can violate the law. We hope this letter will empower institutions to stand firm in the face of radical bullying tactics.” The letter can be read in full here.

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## Rümeysa Öztürk Denied Bond, Remains Unlawfully Detained in Louisiana

LOUISIANA — An immigration court yesterday denied bond to Rümeysa Öztürk, a former Fulbright scholar and current Ph.D. student at Tufts University, who the Trump administration targeted for arrest, detention, and deportation in retaliation for an op-ed she co-authored in her student newspaper. Ms. Öztürk, who has not been accused of any crime, was taken by plainclothes ICE agents in Somerville, Massachusetts on March 25. For nearly 24 hours, Ms. Öztürk’s attorney was unable to locate her as ICE quickly and quietly moved

her to three separate locations in three different states — including Vermont — before shipping her to Louisiana. “Yesterday was a complete violation of due process and the rule of law. The immigration courts are cowering to the Trump administration's attempts to silence advocates of Palestinian rights,” said attorney Marty Rosenbluth. “The government’s entire case against Rümeyisa is based on the same one-paragraph memo from the State Department to ICE that just points back to Rümeyisa’s op-ed.” “Yesterday’s decision is exactly why we are fighting for the federal courts to intervene in Ms. Öztürk’s immigration case,” said Mahsa Khanbabai of Khanbabai Immigration Law. “Ms. Öztürk has committed no crime and DHS has provided zero evidence in their case against her. Despite that, the court yesterday relied on a previously submitted State Department memo that points to nothing that Ms. Öztürk said or did — other than her 2024 school newspaper op-ed — to falsely claim she is a danger to her community. This attack on free speech is despicable, but we won’t be deterred. We will keep fighting until Ms. Öztürk is safely returned home to Massachusetts.” This immigration judge ruling comes nearly two weeks after a federal court ruled that the federal case should be transferred to the U.S. District Court for the District of Vermont, instead of Louisiana. In a new filing in her federal case, her legal team urges a federal judge in Vermont to, in light of the immigration court developments and ongoing risks to her health, order that Ms. Öztürk be released or at least returned to Vermont by April 18. Ms. Öztürk is represented in immigration court by Mahsa Khanbabai and Marty Rosenbluth, and in federal court by Mahsa Khanbabai, the American Civil Liberties Union, ACLU of Massachusetts, ACLU of Vermont, CLEAR, and Emery Celli Brinckerhoff Abady Ward & Maazel LLP. The following are quotes from the rest of Ms. Öztürk’s legal team: Jessie Rossman, Legal Director, ACLU of Massachusetts: “The fight to bring Rümeyisa Öztürk back to Massachusetts is not over. There is absolutely no basis for the immigration court's decision to keep Rümeyisa behind bars over 1,300 miles away from her friends, community, and counsel. Once again, the government's solitary submission in that proceeding made clear that Rümeyisa was arrested, transported, and detained solely because she authored an op-ed in her student newspaper. This week, hundreds of people gathered outside of her federal court hearing in Vermont to stand up and say this is unacceptable. Together, we will continue to press for Rümeyisa’s rightful release in federal court.” Lia Ernst, Legal Director, ACLU of Vermont: “Rümeyisa’s nightmarish experience at the hands of immigration officials has been nothing short of abhorrent, and last night’s decision by an immigration judge to keep her imprisoned is no exception. Our client has now been deprived of her

most basic freedoms for 23 days for writing an op-ed. This decision only underscores the need for the federal court to intervene on her behalf and order her release as soon as possible.” Naz Ahmad, Co-director, CLEAR: “Yesterday’s decision to keep Ms. Ozturk detained 1,300 miles away from her community, solely for co-authoring an op-ed should be a siren call for all who care about free speech. The hearing, which most of Ms. Ozturk’s legal team were prevented from observing, and its result, were a shocking outlier even in a system well-known for providing a shoddy form of due process.” Vasudha Talla, Of Counsel, Emery Celli Brinckerhoff Abady Ward & Maazel LLP: “The immigration court’s decision yesterday is an insult to the idea of due process. It is also an unfortunately predictable outcome given the government’s unconstitutional crackdown on First Amendment-protected speech. Our fight continues in federal court, where the judge does not serve at the pleasure of the executive.” For documents and other case information, see here.

**Court Case:** Öztürk v. Trump

**Affiliates:** Massachusetts, Vermont

Virginia

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**Free Speech** **LGBTQ Rights**

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