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May 13, 2022

VIA EMAIL ONLY: alexandra.schweitzer@noleftturn.us

Ms. Ali Schweitzer
No Left Turn in Education
<https://www.noleftturn.us/>

RE: Cease and Desist

Dear Ms. Schweitzer:

We represent the Oconomowoc Area School District and are writing today to address false and defamatory statements which you have distributed to numerous parents and community members by way of your organization and its website, "No Left Turn in Education."

On May 2, 2022, you publicly distributed the following letter via email to numerous parents and community members, with regard to the District's curriculum and library materials.

"We discovered that one of the books, the [Gender Quest Workbook](#), coaches kids that gender is "a whole spectrum of possibilities" and encourages them to question their gender identity. I was mortified to find out that, a year earlier, my then-5th grade daughter was also exposed to another book called [It's Perfectly Normal](#), which targets kids as young as ten. It [describes sex acts](#), even providing graphic illustrations that clearly violate the will of the parents and blur the legal lines put in place to protect children. *The presence of such books in school is unacceptable.*

I spoke with America's Sheriff David Clarke, an NLTE board member, who put me in touch with NLTE founder and president Dr. Elana Fishbein. With the strong support of NLTE, we began to testify in front of many school boards about these books, even reading passages from them. The school board members were shocked, and many of them tried to shut us down, but we would not relent. Due to our persistent pressure (they don't call us the Badger State for nothing!), three Oconomowoc School Board members resigned in August 2021, followed by a fourth member a few months later. The remaining board members listened to us, but they have yet to act."

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Additionally, on February 23, 2022, at a public hearing in front of the Wisconsin Senate Committee on Education, you provided false and misleading testimony with regard to the District and its use of the text, “The 57 Bus.” In that testimony you also stated that graphic and sexually explicit texts are available to District students via the District’s physical and digital library collection. Finally, you also leveled personal attacks against the Board President, James Wood, stating that his responses to your concerns with regard to “The 57 Bus” and other curriculum and library materials did not address the specific text, and are unresponsive. In fact, quite the opposite is true.

In a letter to the Senate Committee on Education which followed your testimony on February 23, 2022, Board President Wood specifically addressed the allegations which you made in your testimony (which were later repeated in your May 2, 2022 letter), and clearly responded to the falsehoods which you stated. The District has made it abundantly clear that neither existing Board Policy nor practice in the District permits or encourages the use or dissemination of books, texts, or curriculum which address or promulgate the kinds of objectionable topics which are the basis of your unfounded allegations.

The statements contained in your May 2, 2022 correspondence and February 23, 2022 public testimony are false, unprivileged and defamatory. You were made aware prior to your February 23, 2022 testimony that “The 57 Bus” is mentor text available only to teachers for checkout and use in instruction and that only small portions of the text were read aloud for the purpose of critical thinking and writing craft. Additionally, you were provided a listing of the library books which are available to District students by way of your September 2021 public records request, so you were made aware that “It’s Perfectly Normal,” “The Gender Quest Workbook,” and other texts you deemed inappropriate are not available to Oconomowoc Area School District students in the library for checkout, nor are they used in the District’s curriculum.

Wisconsin recognizes a legal cause of action for defamation. A statement is defamatory under Wisconsin law if it is: (1) false; (2) communicated by speech, conduct, or writing to a person other than the person defamed, and (3) unprivileged and defamatory. *See Laughland v. Beckett*, 2015 WI App 70, ¶ 22, 365 Wis. 2d 148, 870 N.W. 2d 466. A person may also be subject to liability for merely repeating a defamatory statement. *See Voit v. Madison Newspapers, Inc.*, 116 Wis. 2d 217, 223, 341 N.W.2d 693 (1984).

Statements within the aforementioned email communication and your February 23, 2022 Senate testimony clearly constitute defamation under Wisconsin common law. These statements exceed the pure expression of opinion; they are untrue, are not privileged, and have lowered those implicated in the estimation of the community. Therefore, the Oconomowoc Area School District and its Board of Education are entitled to take legal action to prevent you from further distribution of statements containing the false claims in the letter and testimony referenced above, and to seek monetary damages against you.

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Our client demands that you immediately correct the aforementioned inaccuracies by issuing an email to all those to whom you emailed this information, indicating the information is false. Proof that this has occurred must be sent to the undersigned legal counsel. Additionally, our client demands you immediately cease and desist from making further false and defamatory statements about the Oconomowoc Area School District, administrators, staff and/or members of its Board of Education.

Regards,

Buelow Vetter Buikema Olson & Vliet, LLC



Mark L. Olson
Emily R. Turzinski

MLO:ERT:kmh

cc: James Wood, School Board President
Kristen Taylor, Superintendent