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BACKGROUNDER

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Sexual Ideology Indoctrination: The Equality Act's Impact on School Curriculum and Parental Rights

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Abstract

The Equality Act would extend Title IV of the 1964 Civil Rights Act to include sexual orientation and gender identity (SOGI) as protected classes leading to potential changes to curricula in public schools, requiring texts to affirm and promote radical views of gender and sexuality. Parents in the U.S. and around the world have successfully opposed such curriculum changes, asserting their right to raise and educate their children according to their own beliefs and values. Additionally, many of these parents have concerns about the promotion of gender ideology, which could lead to a rise in youth experiencing gender dysphoria and seeking "transgender medical treatment" with detrimental health effects.

Introduction

In recent years, activist groups have strengthened pressures on legislators and educators to require the teaching of radical Lesbian, Gay, Bisexual, and Transgender (LGBT) ideology in schools. They argue that inclusion and non-discrimination toward students who identify as gay or transgender require radical revision of curricula. Schools across the country and around the world have attempted to implement curricula that teach students the nonscientific belief that gender is fluid and subjective, and that traditional beliefs about marriage and family are rooted in bigotry.

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Key Points

- Legislators in Congress as well as at the state and local level should heed the concerns of parents who oppose the imposition of SOGI curriculum through legislation, including through the Equality Act.
- SOGI curricula inculcate a particular political ideology regarding sex and gender.
- Distinctions that are made on biological differences between male and female are based on valid privacy and safety concerns. They should not be conflated with rules that are based on irrelevant racial distinctions.
- Under the Equality Act, schools would, in effect, be forced to propagate the view that traditional beliefs regarding marriage, sexuality, and gender are bigoted and discriminatory—regardless of objections from parents.
- Advocacy groups are extending their efforts beyond sex education—which is subject to close scrutiny and protected by parental opt-out policies—in order to more completely integrate their SOGI ideology across curricula.

sexuality. Parents in the U.S. and around the world have successfully opposed such curriculum changes, asserting their right to raise and educate their children according to their own values and preferences. Additionally, many of these parents have concerns about the promotion of gender ideology, which could lead to a rise in youth experiencing gender dysphoria and seeking "transgender medical treatment" with detrimental health effects.

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Parental Rights and Education

The Constitution protects parents' fundamental right to control their own children's education and upbringing. The Supreme Court has recognized and repeatedly reaffirmed this right. In the 1923 case *Meyer v. Nebraska* the court struck down a law prohibiting foreign language instruction in schools under the principle that parents' wishes regarding their children's education should trump the dictates of the state.

This decision was reaffirmed in *Pierce v. Society of Sisters*, which upheld the right of parents to send their children to religious schools. The court stated in this case:

> The fundamental theory of liberty upon which all governments in this Union repose excluded any general power of the state to standardize its children.... The child is not the mere creature of the state; those who nurture him and direct his destiny have the right and the high duty, to recognize and prepare him for additional obligations.[1]

It is the prerogative of parents, not the state, to determine what children are taught about fundamental moral, religious, and philosophical issues.

Parents' right to direct their children's education has been recognized as particularly important with regard to sensitive topics such as sex education. To this end, 38 states and the District of Columbia require school districts to allow parental involvement in their sex education curriculum, 35 states and the District of Columbia allow parental opt-out, and four require parental opt-in prior to such instruction.[2] Details of opt-out laws vary by state, but Minnesota state law provides a good model. Parents are allowed to review educational materials and to arrange for alternative instruction if they object to its content.

Further, schools cannot penalize students for opting out or require parents to pay for alternative instruction.[3] Students, too, have constitutional rights to freedom of speech and the free exercise of religion. Schools may not force them to engage in activities that violate their consciences or endorse messages they find objectionable. Parents, not the government or schools, have the right to decide how and when to teach their children about topics such as gender and sexuality, and to teach them in accordance with their own moral or religious values.

The Equality Act Could Hasten the Nationwide Implementation of SOGI Curriculum

Around the country, five states and the District of Columbia have begun mandating SOGI curricula in sex education and history, while 10 others have explicitly prohibited it. If Congress enacts a federal law, it would usurp the states' authority on the issue and undermine parental rights.

The law in New Jersey requires schools to include the "political, social, and economic contributions of... lesbian, gay, bisexual, and transgender people" in "an appropriate place in the curriculum of middle school and high school students." This means that it could be history—but it could be in other subjects as well.

The New Jersey initiative follows a California law which passed in 2012.[4] The Illinois state legislature recently also passed a history curriculum bill, evidence of a growing trend at the state level.[5]

1. *Pierce v. Society of Sisters*, 268 U.S. 510 (1925) at 535.
2. National Conference of State Legislators, "State Policies on Sex Education in Schools," March 21, 2019, http://www.ncsl.org/research/health/state-policies-on-sex-education-in-schools.aspx (accessed April 24, 2019).
3. Minn. Stat. 120B.20 (2018), https://www.revisor.mn.gov/statutes/cite/120B.20 (accessed April 24, 2019).
4. N.J.S.A. C.18A:35–4.35–36, https://www.njleg.state.nj.us/2018/Bills/PL19/6_.HTM (accessed April 24, 2019).
5. John Bowden, "Illinois House Votes to Require LGBT History Curriculum Be Taught in Schools," *The Hill*, March 16, 2019, https://thehill.com/homenews/state-watch/434397-illinois-house-votes-to-require-lgbt-history-curriculum-be-taught-in (accessed April 24, 2019).

States That Have Mandated SOGI Curriculum

1. New Jersey (history)
2. California (history)
3. Illinois (history)
4. Colorado (sex education)
5. Washington (sex education)
6. District of Columbia (sex education)

States That Have Prohibited SOGI Curriculum

1. Alabama
2. Arizona
3. Louisiana
4. Mississippi
5. Oklahoma
6. South Carolina
7. Texas
8. Utah
9. Florida (mandates that sex education focus on "monogamous heterosexual marriage")
10. North Carolina (mandates that sex education focus on "monogamous heterosexual marriage")

SOGI curriculum requirements have also been extended to sex education in numerous states and school districts. Since 2013, Colorado has required instruction on homosexual and bisexual conduct in sex education. A bill currently being considered by the state legislature would strip away the law's exemptions for certain schools—and prohibit discussion of moral and religious perspectives and the promotion of abstinence.[6]

A common thread binding these laws is their lack of opt-out protections for parents or schools who object. The goal is to impose a particular ideology about sexuality and gender and silence dissent. If a federal law like the Equality Act passes adding sexual orientation and gender identity as protected classes in the 1964 Civil Rights Act, all 10 state laws currently prohibiting SOGI education could be overridden.

Section 5 of the Equality Act would amend Title IV in the Civil Rights Act, which required the desegregation of public education.[7] The law currently prohibits segregation or discrimination against students in public schools on the basis of race, color, religion, or national origin. The Equality Act would add sexual orientation and gender identity as protected charac-

6. Stephanie Currie, "Colorado Sex Ed Bill Would Force Kids to Learn LGBT Ideology, Ban Talk of Abstinence," *The Daily Signal*, April 17, 2019, https://www.dailysignal.com/2019/04/17/colorado-sex-ed-bill-would-force-kids-to-learn-lgbt-ideology-ban-talk-of-abstinence/ (accessed April 24, 2019).
7. Equality Act, H.R. 5, 116th Cong., 1st Sess., https://www.congress.gov/bill/116th-congress/house-bill/5 (accessed April 24, 2019).

teristics. The Civil Rights Act's provisions on education were intended to address the demonstrated harms inflicted on African American students by racial segregation. In order to remedy this situation, courts in various desegregation cases required schools to remove racially biased educational materials, expand curricula to include black history, and remove other disparities.[8]

The Human Rights Campaign (HRC), a leading activist organization, already asserts that LGBT students "have been denied equal access to educational opportunities in schools in every part of our nation" and explicitly draws comparisons to the Civil Rights Act's protections for characteristics such as race, sex, and national origin.[9] This language, along with the Equality Act's provision regarding the desegregation of schools could lead to incorporation of SOGI ideology into classrooms on a nationwide basis.

Federal courts could wrongly apply the same reasoning they used to mandate black history curricula to require curricula on sexual orientation and gender identity. Currently, LGBT activists argue that students who identify as transgender are being unfairly "segregated" in public school bathrooms and locker rooms from other students who share the same gender identity.

However, after Congress passed Title IX of the 1972 Educational Amendments to the Civil Rights Act, a regulation was issued, which states a school "may provide separate toilet, locker room, and shower facilities on the basis of sex"—and specifies only that "such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex."[10]

Similarly, the Supreme Court in *United States v. Virginia* recognized the legitimate need for sex-specific facilities due to privacy and safety. In her majority opinion that ordered the Virginia Military Institute to admit women, Justice Ruth Bader Ginsburg wrote that it "would undoubtedly require alterations necessary to afford members of each sex privacy from the other sex in living arrangements."[11]

Neither members of Congress nor policymakers considered sex-specific intimate facilities unfairly discriminatory. However, they did recognize that segregation of bathrooms, locker rooms, and changing rooms by *race* was illegitimate because there is no rational basis for separation of the races. The only basis for racial segregation of intimate facilities was racial supremacy.

However, there are rational and commonsense reasons for separating the sexes. As Ryan T. Anderson has written, distinctions that are made on biological differences between male and female are based on valid privacy and safety concerns. They should not be conflated with laws requiring racial segregation, which are based on irrelevant distinctions between blacks and whites and serve no valid purpose.[12]

Should activist judges misappropriate the rationale from the civil rights cases mandating black history curriculum, they could also order schools to teach curriculum focusing on LGBT history or promoting transgender theory. Schools would, in effect, be forced to propagate the view that traditional beliefs regarding marriage, sexuality, and gender are bigoted and discriminatory, regardless of objections from parents.

Activist Groups and SOGI Curricula

A number of prominent national LGBT activist groups advocate the development and implementation of SOGI curricula. They further provide a significant amount of educational material, such as lesson plans for use by teachers and school districts. A substantial infrastructure is already in place for a potential federal expansion of SOGI curricula requirements. Many of these curriculum materials tout their alignment with Common Core requirements and other national standards, while the National Education Association—which wields considerable power

8. See *United States v. Bd. of Sch. Comm'rs of City of Indianapolis, Ind.*, 332 F. Supp. 655, 671 (S.D. Ind. 1971), *aff'd,* 474 F.2d 81 (7th Cir. 1973); *Liddell v. Bd. of Ed., City of St. Louis, State of Mo.*, 469 F. Supp. 1304, 1349 (E.D. Mo. 1979), *rev'd sub nom*; *Adams v. United States*, 620 F.2d 1277 (8th Cir. 1980); *Hart v. Cmty. Sch. Bd. of Brooklyn, New York Sch. Dist. No. 21*, 383 F. Supp. 699, 757 (E.D.N.Y. 1974), *aff'd sub nom*; *Hart v. Cmty. Sch. Bd. of Ed., N.Y. Sch. Dist. No. 21*, 512 F.2d 37 (2d Cir. 1975); and *U.S. by Clark v. Elloree Sch. Dist. No. 7, Orangeburg Cty., S.C.*, 283 F. Supp. 557, 564 (D.S.C. 1968).

9. Human Rights Campaign, Student Non-Discrimination Act, December 21, 2018, https://www.hrc.org/resources/student-non-discrimination-act (accessed April 24, 2019).

10. 34 C.F.R. Part 106, § 106.33, https://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html (accessed May 5, 2019).

11. *United States v. Virginia*, 518 U.S. 515 (1996).

12. Ryan T. Anderson, "Just Because Liberals Call Something Discrimination Doesn't Mean It Actually Is," March 2, 2017, https://www.heritage.org/gender/commentary/just-because-liberals-call-something-discrimination-doesnt-mean-it-actually (accessed May 5, 2019).

over federal education policy—is a notable partner in the HRC's efforts.[13]

A project of the University of Colorado at Boulder's School of Education dedicated to helping educators "queer" their teaching provides a revealing example of the eventual goal of these efforts. The group, which goes by the name "A Queer Endeavor," states on their website: "To create school cultures that are not only 'safe' (as in, not dangerous), but also affirming of gender and sexual diversity, our approach moves beyond the anti-bullying discourse and works toward systemic change." A teacher-contributed presentation directed at fellow educators specifies the importance of "incorporating gender and sexual diversity in THE CURRICULUM."[14] The goal is not equality or respect but forced ideological conformity via the content of the curriculum.

Sex education serves as the primary point of entry for incorporating SOGI ideology into curricula. A brief co-authored by the HRC; the Gay, Lesbian, Straight Education Network (GLSEN); Planned Parenthood; and several other groups advocates that sex education include "information for all students about sexual orientation and gender identity that is medically accurate and age-appropriate."[15]

The push to expand SOGI curriculum elements to other subject areas is evident from the same publication, despite its ostensibly narrow focus on sex education: Teachers are advised to incorporate SOGI ideology into other subjects "in order to better support LGBT students." In addition, the GLSEN raises concerns that laws prohibiting LGBT sex education prevent teachers from including any positive portrayals of LGBT people or lifestyles in other subject areas.[16] If the Equality Act is signed into law, parents can expect to see this radical ideology incorporated into schools across the nation—beginning with sex education, and then extending further across subject areas.

It is clear that these groups mean to extend their efforts beyond sex education, which is subject to close scrutiny and protected by parental opt-out policies, in order to more effectively integrate their ideology across curricula. The HRC attempts to justify the inclusion of controversial material throughout the curriculum, claiming that "when educators discuss family diversity, they are not talking about sexuality––they are talking about understanding the importance of family, love and acceptance for everyone."[17]

Lesson plans and materials are provided for a wide range of subjects. Suggestions include highlighting LGBT history, which frequently involves dubious claims about the sexual orientation or gender identity of historical figures. For example, the GLSEN suggests that teachers "[a]cknowledge the gay identity of Francis Bacon (creator of the Scientific Method) or Frieda Kahlo's bisexuality when studying their works," though Bacon's homosexuality is disputed and the relevance of Kahlo's sexual orientation to her art is questionable.[18]

Reading lists of LGBT-themed books are provided for all grade levels. Picture books such as *I Am Jazz* and *Jacob's New Dress* explain to kindergarteners that it is possible for a girl to be born in a boy's body, or vice versa. Even math and P.E. teachers are encouraged to seek opportunities to "combat binary ideas of gender" by including a variety of family structures in word problems[19] and highlighting the accomplishments of transgender athletes.[20]

13. Elliot Kozuch, "HRC and NEA Sponsor National Day of Readings Supporting Transgender and Gender-Expansive Youth," Febraury 7, 2019, https://www.hrc.org/blog/hrc-nea-sponsor-national-day-of-readings-in-support-of-trans-gender-ex (accessed May 13, 2019).
14. "Gender and Sexual Diversity Teacher Institute," https://docs.google.com/presentation/d/11Dbd4vAZ-3iGI3a8qNGJTIaE2OpiMCEpHpRSYsh_zwI/edit#slide=id.p9 (accessed April 24, 2019) (emphasis in original).
15. Human Rights Campaign et al., "A Call to Action: LGBT Youth Need Inclusive Sex Education," https://www.hrc.org/resources/a-call-to-action-lgbtq-youth-need-inclusive-sex-education (accessed April 24, 2019).
16. GLSEN, "Laws that Prohibit the 'Promotion of Homosexuality': Impacts and Implications," 2018, https://www.glsen.org/sites/default/files/GLSEN%20Research%20Brief%20-%20No%20Promo%20Homo%20Laws_1.pdf (accessed April 24, 2019).
17. Human Rights Campaign, "Responding to Concerns about LGBTQ Topics and Schools," Welcoming Schools, http://www.welcomingschools.org/research/responding-to-concerns/ (accessed April 24, 2019).
18. GLSEN, "Developing LGBT-Inclusive Classroom Resources," https://www.glsen.org/sites/default/files/LGBT%20inclus%20curriculum%202014_0.pdf (accessed April 24, 2019).
19. Human Rights Campaign, "Simple Ways to Include LGBTQ and Gender Inclusive Material Across the Curriculum," Welcoming Schools, https://assets2.hrc.org/welcoming-schools/documents/WS_Simple_Ways_to_Include_LGBTQ_Material.pdf (accessed April 24, 2019).
20. Beth Buchanan, "Investigating Stereotyping in Sports and Fitness," https://docs.google.com/document/d/1hgn9DVeOQpDx62jvHqugqkGjR0lQmUeGOJ8etsWshPY/edit (accessed April 24, 2019).

Also available are numerous lesson plans intended to teach students more directly about SOGI ideology, with alternative views presented as backwards and hateful. Graphics such as the "Gender Unicorn" (variants include the Genderbread Person and the Gender Snowperson) display gender, biological sex, and sexual orientation as existing on a spectrum, with students encouraged to mark their own self-identified location along it. Lessons on "family diversity," rather than focusing on tolerance and respect for all students and families, paint as bigoted the belief that marriage is the union of a man and a woman and that children need a mother and father.[21] Another resource encourages teachers to answer young students' questions about the meaning of terms such as "pansexual," "non-binary," and "sex assigned at birth" according to SOGI orthodoxy and use them as "teachable moments."[22]

Harms of SOGI Curriculum

While teaching students to treat others with dignity is a worthy goal, the true aim of SOGI curriculum is not to encourage respect but to inculcate a particular ideology regarding sex and gender, risking confusion and conflicts with parents' values. The promotion of gender ideology to children as young as five understandably leaves kindergarten students confused about what it means to be a boy or a girl, as illustrated by an incident in Rocklin County, California.

As part of a kindergarten boy's transition to a female gender identity, a teacher read two transgender-affirming children's books to her kindergarten class, leading up to the transitioning student's reappearance dressed as a girl. Parents were not notified or allowed to opt out, leading to outrage at a subsequent school board meeting. Parents reported that after being subjected to this material, their children came home distressed and confused about their own sex and whether they could choose their gender.[23] It is difficult to discern any educational value in teaching young children such age-inappropriate and scientifically dubious concepts.

Parents are reasonably concerned that the promotion of radical gender ideology through school curriculum may also lead to an increased possibility that their children will experience gender dysphoria via social contagion. Brown University researcher Lisa Littman's groundbreaking study documents the growing phenomenon of rapid-onset gender dysphoria (ROGD), in which youth who have shown no prior signs of discomfort with their biological sex suddenly identify themselves as transgender.[24]

The condition is primarily manifested in teenage girls, often with groups of friends coming out as transgender in close succession. Parents report that increased use of social media sites such as Tumblr and YouTube, which host large amounts of content promoting transition, preceded their children's announcements, which were followed by increased hostility toward and isolation from parents. Littman theorizes that ROGD may in fact be a form of peer contagion or a maladaptive coping mechanism to normal stresses of teenage life.

This theory is supported by the increasingly common occurrence of a single school or region suddenly reporting a significantly higher than average percentage of transgender students.[25] The introduction of SOGI curricula, which promote the idea that gender is fluid and subjective, will exacerbate this situation, with vulnerable teenagers being taught that they can change their sex at will and that doing so is a sure path to acceptance among their friends and support from teachers and administrators.

Research shows that gender dysphoria in children and teenagers frequently resolves on its own over time. According to the American Psychiatric Association, up to 98 percent of pre-pubertal boys and up to 88 percent of pre-pubertal girls who expe-

21. Human Rights Campaign, "Lesson Plans to Embrace Family Diversity," Welcoming Schools, http://www.welcomingschools.org/resources/lesson-plans/diverse-families/diverse-families-with-books/ (accessed April 24, 2019).
22. Human Rights Campaign, "Defining LGBTQ Words for Elementary School Students," Welcoming Schools, https://assets2.hrc.org/welcoming-schools/documents/WS_LGBTQ_Definitions_for_Students.pdf (accessed April 24, 2019).
23. CBS News, "Transgender Reveal in Kindergarten Class Leaves Parents Feeling 'Betrayed,'" August 22, 2017, https://www.cbsnews.com/news/transgender-reveal-kindergarten-class-rocklin-academy-parents-upset/ (accessed April 24, 2019).
24. Lisa Littman, "Parent Reports of Adolescents and Young Adults Perceived to Show Signs of a Rapid Onset of Gender Dysphoria," *PLoS One*, Vol. 13, No. 8 (2018), https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0202330 (accessed April 24, 2019).
25. Ibid.

rience gender dysphoria will naturally resolve their dysphoria as they mature.[26] However, another study showed that nearly 100 percent of those children who begin puberty-blocking hormones go on to take cross-sex hormones.[27]

However, transgender activists and transgender-affirming medical professionals advocate radical hormonal and surgical interventions for children exhibiting signs of gender dysphoria. This includes cross-sex hormones starting at age eight and "gender-confirmation" surgery at 18.[28] There is evidence that girls as young as 13 have been given double mastectomies in an effort to "reassign their sex."[29] Contrary to activists' claims, these experimental procedures are not, in fact, harmless and easily reversible. In reality, they can lead to sterility and increased risk of cancer, among other potential issues.

This, in turn, will lead to increased pressure on parents to approve "gender-affirming" medical treatment, with the threat of state intervention for those who dissent. The Equality Act could also ban any counselor from helping children who struggle with gender dysphoria to become comfortable with their own bodies. Section 7 of the Equality Act's findings label such counseling discriminatory "conversion therapy."[30]

In one case in the United States, the parents of a 17-year-old girl in Ohio lost custody of their daughter due to their refusal to allow her to undergo a medical transition, including the administration of testosterone.[31] Merely because the parents wanted to treat their daughter's gender dysphoria with counseling rather than hormones and surgery, a county agency charged them with abuse and neglect.[32]

In a recent case in Canada, a father was prohibited from referring to his 14-year-old daughter using female pronouns or seeking to persuade her to abandon cross-sex hormone treatment on pain of being found guilty of "family violence."[33] Rather than promoting greater tolerance and respect via SOGI curriculum, the Equality Act would push children into ideologically motivated "gender-affirmative treatment" and punish parents who dissent.

Successful Parental Opposition to SOGI Curriculum

In states and school districts that have already mandated the use of SOGI curriculum in schools, parents have protested. School districts in Northern Virginia have provided a laboratory for a number of these educational experiments.

A representative incident occurred earlier this year in Arlington, Virginia. Ashlawn Elementary School invited an activist to read a children's book promoting transgender ideology to a kindergarten class shortly after a similar event at a nearby school was cancelled due to parental objections. Ashlawn parents were given less than a week's notice of the

26. See American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders*, 5th ed., 2013, https://www.psychiatry.org/psychiatrists/practice/dsm (accessed March 22, 2019), and American College of Pediatricians, "Gender Ideology Harms Children," September 2017, https://www.acpeds.org/the-college-speaks/position-statements/gender-ideology-harms-children (accessed March 22, 2019).
27. American College of Pediatricians, "Gender Dysphoria in Children," November 2018, https://www.acpeds.org/the-college-speaks/position-statements/gender-dysphoria-in-children) (accessed May 13, 2019).
28. Mairead McArdle, "Parent Coalition Urges Halt to $5.7 Million Taxpayer-Funded Transgender Study on Children," April 9, 2019, https://www.nationalreview.com/news/parent-coalition-urges-halt-transgender-study-children/ (accessed May 5, 2019).
29. Jane Robbins, "U.S. Doctors Are Performing Double Mastectomies On Healthy 13-Year-Old Girls," *The Federalist*, September 12, 2018, https://thefederalist.com/2018/09/12/u-s-doctors-performing-double-mastectomies-healthy-13-year-old-girls/ (accessed May 11, 2019).
30. "The discredited practice known as 'conversion therapy' is a form of discrimination that harms LGBT people by undermining individuals[']sense of self worth, increasing suicide ideation and substance abuse, exacerbating family conflict, and contributing to second class status." See Equality Act, H.R. 5, § 2 (a)(7).
31. Ryan T. Anderson, "Parents Just Lost Custody of Teenage Daughter Who Wants to 'Transition' to a Boy: What You Need to Know," Heritage Foundation *Commentary*, February 20, 2018, https://www.heritage.org/gender/commentary/parents-just-lost-custody-teenage-daughter-who-wants-transition-boy-what-you-need.
32. Emilie Kao, "Pelosi's Equality Act Could Lead To More Parents Losing Custody of Kids Who Want 'Gender Transition,'" The Heritage Foundation *Commentary*, January 15, 2019, https://www.heritage.org/marriage-and-family/commentary/pelosis-equality-act-could-lead-more-parents-losing-custody-kids-who.
33. Douglas Quan, "Transgender Teen Can Proceed With Hormone Treatment Despite Father's Objection, B.C. Court Rules," *National Post*, February 28, 2019, https://nationalpost.com/news/canada/transgender-teen-can-proceed-with-hormone-treatment-despite-fathers-objections-b-c-court-rules?fbclid=IwAR2HUOWInmmeNh2Nx5DTkYxcr-d7v9OHBVLBoXtn7IXU9sHkY93VbTkvdQU (accessed April 24, 2019).

reading, were not afforded the opportunity to opt out, and received the notifying letter only in English, despite the fact that a significant portion of Ashlawn parents are not native English speakers and bilingual communication is standard.

The district is further considering implementing a wide-ranging SOGI policy that includes access to restrooms, locker rooms, and sports teams based on gender identity rather than biological sex, as well as requiring SOGI curriculum in all schools.[34]

Many attempts have been made in the U.S. and internationally to implement SOGI curriculum similar to that which could be mandated by the Equality Act. In some instances, vocal opposition from parents led to substantial changes to or reversals of the offending policies. In California, parents have recently protested a proposed framework for sex and health education that provides information and ideology they describe as "too much, too soon" and its lack of effective opt-out opportunities.[35] Similar scenarios have played out across the country. The similarity of two incidents in different states three years apart reveal an ongoing pattern similar to the one on display in Arlington County.

In Wisconsin in 2015, one school district was forced to cancel a reading of *I Am Jazz* planned as part of a transgender student's transition due to a threatened lawsuit from parents who were given insufficient advance notification.[36] Three years later in Michigan, parents protested a videotaped reading of the same book, which had been conducted with little advance notice and no opt-out.[37]

In Arlington County, Virginia, as referenced above, children were exposed to material promoting transgender ideology with no opt-out provided. Maria Keffler, a former teacher whose children attend Arlington Public Schools, penned an op-ed for the *Washington Post* addressing the controversy, stating "Parents—not school systems—should hold authority over what their children learn about sexuality and gender and when."[38] Keffler and other concerned parents formed a grassroots organization to document and resist the school district's previous actions and proposed policies.[39]

Incidents abroad provide both a glimpse of the possibilities for schools affected by legislation such as the Equality Act—and the potential for concerned parents to challenge them. In 2015, a controversial sex education curriculum that required students to be taught about sexual orientation and gender identity was implemented in Ontario, Canada. This sparked protests across the Canadian province, both from conservative religious groups and Canadians of Middle Eastern and Asian descent who raised cultural and religious objections. A number of parents organized a strike, pulling their children from the schools affected by the policy. The outcry led to the eventual reversal of the policy in 2018.[40]

Similarly, the implementation of SOGI curriculum was delayed in Birmingham, England, after hundreds of Muslim parents withdrew their children from school for a day in protest. School officials agreed to consult with parents regarding the age-appropriateness of the content as well as considering the religious beliefs of students.[41]

34. Maria Keffler, "Gender Politics Don't Belong in the Classroom, But Title IX Protections Do," *The Washington Post*, April 5, 2019, https://www.washingtonpost.com/opinions/local-opinions/gender-politics-dont-belong-in-the-classroom-but-title-ix-protections-do/2019/04/05/1cd1a156-5561-11e9-9136-f8e636f1f6df_story.html?utm_term=.c3a44e632977 (accessed April 24, 2019).
35. Sawsan Morrar, "'Too Much, Too Soon': Families Rally at Capitol Against Sex Education and LGBT Curriculum," *The Sacramento Bee*, March 28, 2019, https://www.sacbee.com/news/local/education/article228532414.html (accessed April 24, 2019).
36. Ogechi Emechebe, "Mount Horeb School Cancels Reading of Transgender Book After Lawsuit Threat," *The Capital Times*, November 27, 2015, https://madison.com/ct/news/local/education/local_schools/mount-horeb-school-cancels-reading-of-transgender-book-after-lawsuit/article_479e8c88-b4b3-57bf-aadb-cf79b239c618.html (accessed April 24, 2019).
37. Kerry Justich, "Parents Push Back Against Elementary Schools' Decision to Share Book About Transgender Child," Yahoo Lifestyle, December 7, 2018, https://www.yahoo.com/lifestyle/parents-push-back-elementary-schools-decision-share-book-transgender-child-204726375.html (accessed April 24, 2019).
38. Keffler, "Gender Politics Don't Belong in the Classroom."
39. Arlington Parent Coalition, "What You Can Do," https://arlingtonparentcoa.wixsite.com/arlingtonparentcoa/get-involved (accessed April 24, 2019).
40. BBC News, "Canada Province Cancels New Sex-Ed Curriculum After Protests," July 12, 2018, https://www.bbc.com/news/world-us-canada-44812833 (accessed April 24, 2019).
41. Nazia Parveen, "Birmingham School Stops LGBT Lessons After Parents Protest," *The Guardian*, March 4, 2019, https://www.theguardian.com/education/2019/mar/04/birmingham-school-stops-lgbt-lessons-after-parent-protests (accessed April 24, 2019).

In each of these cases, the informed and persistent opposition of parents was key to raising awareness of the potential harms of SOGI curriculum in schools—and in many cases succeeded in forcing a reevaluation of the planned lessons.

Conclusion

The Equality Act attempts to impose a one-size-fits-all model for SOGI curriculum across the nation, driven by activist pressures rather than the needs and preferences of students and parents. Members of Congress, state legislators, and local school boards should listen to parents who oppose bills like the Equality Act that would impose radical ideology on the country's most impressionable population—students.

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