



Parents' Toolkit on Critical Theory in Education and Healthcare



PARENTS' TOOLKIT ON CRITICAL THEORY IN EDUCATION AND HEALTHCARE

Children are born into families that are headed by parents. The unique and intimate relationship between children and their parents creates a duty and a corresponding natural right that is pre-political. The U.S. Supreme Court has stated that the due process clause of the 14th Amendment to the U.S. Constitution protects parental rights and that they are fundamental rights. However, courts do not consistently protect these rights at the strict level that they deserve. To protect children, the rights of parents must be safeguarded according to the highest legal standard.

In 2022, new government policies are threatening parental rights. Schools are indoctrinating students into divisive ideologies that subject them to unequal treatment because of their race, ethnicity, religion, and other characteristics. Schools are also promoting a destructive gender ideology and even keeping students' mental health struggles secret from their parents. Medical institutions are performing experimental procedures on minors who experience a sense of disconnection between their bodily sex and internal sense of gender.

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When the state intrudes upon parental rights, parents can seek to hold the government accountable.

While the state has an interest in promoting the education of children and protecting their health and safety, it must pursue those goals in a manner that respects parental rights. When the state intrudes upon parental rights, parents can seek to hold the government accountable. This can be done through school boards, through litigation, and even through legislation at the state and federal level.

This toolkit is designed to help parents by:

- 1. Explaining what parental rights are and how they can be defended.**
- 2. Identifying how Critical Theory threatens parental rights in education and healthcare.**
- 3. Suggesting key tools that parents can use to protect their children.**

Alliance Defending Freedom (ADF) has worked on parental rights for more than two decades. In response to the growing threats, ADF created a Center for Parental Rights that litigates precedent-setting cases to protect parental rights. ADF also has a Center for Legislative Advocacy that creates legislation to protect parental rights in the states and in Congress.

I.

UNDERSTANDING AND DEFENDING PARENTAL RIGHTS

A. What are parental rights and how are they protected by law?

Parental Rights: Parents’ rights to direct the upbringing and education of their children are fundamental rights protected by the U.S. Constitution.

Parental rights are pre-political. Parents have a high duty to govern the upbringing, education, and care of their children. They love and know their children best. The Supreme Court of the United States has repeatedly affirmed that parental rights are fundamental under the U.S. Constitution. However, in 2000, the Court issued a fractured decision in a grandparent visitation case – *Troxel v. Granville*. The Court came to the right result in finding that the mother had the parental right to determine her child’s visitation schedule. But the justices arrived at this result through various legal analyses and did not use the opportunity to clearly reach or define the legal standard for protecting the fundamental nature of parental rights under the federal Constitution.

Therefore, some courts have used *Troxel* to read confusion into the law as an excuse to limit parental rights. Because of this, parental rights are not always protected in every state or federal court at the same level as other fundamental rights. Some states have fixed this by enacting laws that ensure parental rights receive the high level of legal protection they deserve. And some courts recognize their high constitutional protection.

But there are gaps and inconsistencies in the law on parental rights. And we need to advocate for laws that treat parental rights with the highest level of judicial review, known as “strict scrutiny,” so that parents and their children are protected from all government policies that inappropriately intrude on parental rights.

KEY TAKEAWAY: Parents should support state and federal laws that treat parental rights as fundamental with the correct judicial standard of review.

Additional Resources:

[ADF Parental Rights Homepage](#)¹ – a helpful resource for understanding parental rights

[Parentalrights.org](#)² – an organization dedicated to protecting children by empowering parents

[Family Policy Alliance](#)³ – an organization that works on policy that respects parental rights. There are Family Policy Councils in 40 states. Parents can find out whether there is one in their state.

“[To Whom Do Children Belong?](#)”⁴ – Melissa Moschella Public Discourse, April 16, 2013. Prof. Moschella has a book by the same name.

For a detailed discussion of laws, legal cases, and model legislation, see section III of this toolkit: Tools for Parents, questions F and G.

B. How can parental rights to direct the upbringing, education, and care of their children be protected in specific ways?

Parental rights include, but are not limited to, making decisions regarding children's education and healthcare in a manner consistent with their family's values. Parents have the duty to do so in a manner that promotes their children's general health and well-being. Of course, in the rare cases where there is proof of abuse or neglect, the government can, and should, take necessary steps to protect children from harm. To protect America's children, we must empower parents to exercise their rights and ensure that our laws and policies respect them. There are three broad principles that parents should keep in mind when advocating for the protection of their rights: government Accountability, Choice, and Transparency (ACT). **Below are some specific ways to protect parental rights:**

1. ACCOUNTABILITY FOR GOVERNMENT OFFICIALS - Ensure that parents can hold the government accountable for any infringements on their fundamental rights.

Any government policy that infringes on parental rights must be evaluated with the highest level of legal scrutiny.

Parents have the right to safeguard their child's personal information from the government.

Parents have the right to direct their child's healthcare without government interference.

2. CHOICE - Ensure that parents can choose the education and healthcare that they deem best for their child.

Parents should have the freedom to choose a school according to their values (including private and religious schools and homeschooling).

Parents should have the right to choose the instruction that their child receives in a public school through opt-in and opt-out policies.

Parents should be able to choose their child's healthcare without facing political or ideological litmus tests.

3. TRANSPARENCY - Ensure that every parent can be informed about their child's health, what they are learning in school, and how it may be harming them.

Parents have the right to be informed by public school officials about their child's physical, emotional, and mental health.

Parents should have the right to review all instructional materials that are used in public schools.

Parents should have full access to all written and electronic records about their child.

Parents should be informed by government officials of any abuse, neglect, or criminal offense against their child, unless it would impede an official investigation.

KEY TAKEAWAY: Parents can support policies that respect their rights to direct the upbringing, education, and care of their children by ensuring government Accountability, increasing Choice in education and healthcare, and promoting Transparency (ACT).

II.

CRITICAL THEORY IN EDUCATION AND HEALTHCARE

A. What is Critical Theory and how does teaching it in K-12 schools harm children?

Parental Rights: Every parent should be able to choose a school where their child is treated as an equal and where their family values and parental authority are respected.

Critical Theory Politicizes Education

The controversies arising in K-12 education today over Critical Race Theory (CRT), Gender Theory, and Queer Studies are rooted in Critical Theory and postmodernism. The term “Critical Theory” refers to a social theory and philosophy that asserts that society is fundamentally corrupted by power dynamics that enable certain groups (based on race, class, sexual orientation, or gender identity) to oppress other groups. Because of this power dynamic, Critical Theorists champion subjective knowledge and challenge the existence of objective knowledge, even scientific knowledge. The argument behind Critical Theory is that society as a whole must be overhauled to redistribute power from oppressor to oppressed classes. To remedy inequities between these groups, Critical Theory’s supporters argue that oppressive power structures must be dismantled.

Critical Theory is marked by radical skepticism toward objective knowledge. Instead, it prioritizes the “lived experiences” of certain groups as authoritative. However, learning should include all students engaging in open dialogue and asking honest questions, not just giving voice to those who have an experience that is deemed important or aligns with progressive political views of “social justice.”

Students should learn about the evil of race-based slavery and Jim Crow laws. They should also learn about the hopeful chapters in America’s history: from abolition to the Civil War to the Civil Rights Movement. Each part of the American story is essential to understanding our nation. But rather than teaching objective facts about American history, schools are promoting politicized narratives, such as the [1619 Project](#)⁵ that assert America is a fundamentally racist country where our freedoms are actually tools of oppression.

When schools treat objective knowledge with radical skepticism and promote the revolutionary goal of redistributing power, they politicize education.

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Critical Theory is . . . used to teach students to oppose the American ideals of individual equality and liberty, Christianity, and the natural family.



Concerned parents from Albemarle County, VA are challenging CRT-based policy in local school district.

Critical Theory Attacks the American Dream, Christianity, and the Family

Critical Theory is also used to teach students to oppose the American ideals of individual equality and liberty, Christianity, and the natural family. Critical Theory attacks individual equality by elevating the status of groups. It diminishes students' individual experiences, decisions, and actions. School policies, like the one in [Albemarle County, Virginia](#)⁶, treat students as “dominant” or “subordinate” because of their race, ethnicity, sex, sexual orientation, and gender identity. Critical Theory also attacks Christianity, arguing that it is part of the dominant culture that leads to oppression of other religions. In [Albemarle](#)⁷, this argument created a hostile environment toward Christian students and stigmatized students of “subordinate” religions.

Finally, supporters of Critical Theory oppose the nuclear family of two married biological parents. They seek to dismantle the family by promoting radical sexual ideology to children through Comprehensive Sexuality Education (CSE) in schools. See section II, question H.

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Every parent should be able to choose a learning environment where their child is treated as an individual . . . and . . . not stereotyped or limited because of their race.

KEY TAKEAWAYS: Parents should support policies that provide maximum transparency into curriculum, teacher training materials, and policies in their children's schools. Parents should educate their children regarding the importance of classroom discussions which encourage all students to ask questions, regardless of their identity.

Parents should ask their children to tell them about any discussions, that stigmatize students because of their race, religion, sex, sexual orientation, or gender identity.

B. What are Critical Race Theory (CRT) and Social Emotional Learning (SEL) and how can parents spot them in a school's curriculum?

Parental Rights: Every parent should be able to choose a learning environment where their child is treated as an individual (not as a member of a group), and where their child is not stereotyped or limited because of their race.

CRT emerged from the legal philosophy of Critical Legal Studies, which asserts that America’s laws, policies, and society perpetuate systemic racism that deprives certain racial minorities of success. CRT attributes all racial inequalities to the existence of systemic racism. It treats the American Dream as a finite pie to be carved up rather than a pathway to success for all.

While supporters of CRT may sincerely seek to address racial inequalities, their methods harm children of all races. Critical Race Theory in the classroom creates a hostile environment by classifying students as oppressor or oppressed simply because of their skin color or ethnic heritage. This violates their right to equal treatment. When students are compelled (under threat of punishment) to affirm statements like “America is fundamentally racist” or to confess “white privilege” or “implicit bias,” this compulsion violates their freedom of speech.

CRT in K-12 schools also diminishes the agency (sense of self-determination) of minority students by treating them as victims of a systemically racist system.

The Organization for Economic Cooperation and Development (OECD) describes “[student agency](#)”⁸ as the capacity to set a goal, to reflect, and to act responsibly to effect change. But CRT undermines the idea that Black and Latino students can achieve their personal goals because “whiteness” stands in their way. CRT advocates have no evidence that their methods have accelerated the achievement of minority students. Yet, the best studies of economic mobility show that one’s sense of agency greatly impacts his or her ability to become more successful. Good public policy should not place the psychological burdens of victimization upon students simply because of their skin color.

The manipulation of race is evident in the unequal treatment of Asian American students. For example, some public “magnet” schools have abolished merit-based admissions (in Maryland, Virginia, and California) to reduce the enrollment of Asian American students and increase the enrollment of other minorities. No student should face a ceiling on academic achievement simply because of their race.

Many schools now introduce the tenets of Critical Theory under the rubric of Social Emotion Learning (SEL). Creators of SEL promote it as a means of achieving “social justice.” In practice, SEL does not focus on acquiring any objective knowledge. Instead, as the president of the [Collaborative for Academic, Social, and Emotional Learning](#)⁹ (CASEL) has stated that SEL is a tool for understanding “personal and social identities, cultural competency and collective action,” to “examine prejudices and biases,” and “evaluate social norms and systemic inequities.” In a CASEL [webinar](#)¹⁰, SEL was promoted “as a tool for anti-racism.” Therefore, parents should work to stay informed about SEL and whether it is employed in their children’s schools.

Key Takeaways: Parents should support policies that provide maximum transparency into curriculum and teacher training that addresses Identity or Critical Theory, including race and other characteristics of students.

They should seek opt-in policies for instruction that conflicts with their religious or moral beliefs. Parents should instruct their children to report any statements or actions that treat students differently because of their race, religion, etc.

C. What are schools teaching about sexual orientation and gender identity (SOGI)?

Parental Rights: Parents should be able to choose a learning environment in which their family’s views on sex, marriage, and the family are respected. A school should not pressure a student to accept a particular viewpoint on sexual orientation or gender identity (SOGI) that violates their conscience or family values.

All individuals have human dignity and should be treated with respect, including those who identify as gay or transgender. And there are many ways to teach students to respect one another. However, Critical Theory – specifically Gender Theory and Queer Studies – promotes politicized views about sexual orientation and gender identity (SOGI). Gender Theory denies the objective truth that we are born a biological male or female and asserts that sex is merely “assigned at birth.” Gender Theory asserts that a person’s subjective internal feelings of gender identity are the real evidence of that person’s sex.

Queer Studies focuses on the study of sex, sexual orientation, and gender identity. It treats heterosexuality and biological sex as social constructs. When Gender Theory or Queer Studies are taught in schools, students may feel pressured to conform to viewpoints that violate their own conscience and/or undermine their family’s values. Pressuring a student to deny that marriage is the union of one man and one woman or that sex is binary can violate that student’s freedom of speech, freedom of religion or conscience, and/or the rights of their parents to direct their education and upbringing.

A Heritage Foundation [paper](#)¹¹ describes how political viewpoints on SOGI are introduced. Children as young as 4 years old are shown cartoons or introduced to imaginary figures like the Gender Unicorn or Genderbread Person. They are taught falsehoods, such as all people have a gender identity, gender is fluid, and that “sex change” (altering the body’s physical appearance through hormones and surgeries) is a pathway to emotional peace. The reality about “sex change” (also known as gender reassignment) is quite different. See section II, question D.

Oftentimes, curricula include claims of dubious historical accuracy, including speculation on the sexual orientation of historical figures like President James Buchanan, poet Emily Dickinson, or scientist Francis Bacon. Activist organizations like the Human Rights Campaign and Gay, Lesbian & Straight Education Network (GLSEN) [place](#) information on SOGI into the framework of Critical Theory and its narratives of “power and privilege.” Students are taught that if they are heterosexual or cisgender (comfortable with their biological sex), they are part of an “oppressor group.” This creates a hostile environment for students who do not conform to politicized views on SOGI and undermines their right to an education.

In addition, gender identity-based school policies promote Gender Theory by allowing students to compete in sports or use private facilities with members of the opposite biological sex. And they promote Gender Theory by forcing teachers to refer to students by pronouns that do not correspond to their biological sex. [Courageous teachers](#)¹² have refused to deny the truth that sex is binary out of concern for their students’ well-being. Some have [successfully](#)¹³ [sued](#)¹⁴ their schools. Compelling teachers to use preferred pronouns that accord with gender identity creates additional pressure on students to accept politicized views on gender identity.

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Gender Theory denies the objective truth that we are born . . . male or female and asserts that sex is merely ‘assigned at birth.’

KEY TAKEAWAYS: Parents should exercise their right to review curriculum in advance of presentation at school and advocate for opt-in policies from materials or activities that promote ideas rooted in Gender Theory and Queer Studies, such as certain lifestyles or sexual behaviors.

Parents should encourage their children to inform them about statements that attack or undermine the belief that marriage is between one man and one woman, as well as any gender identity-based policies and curriculum.

Additional Resources:

 [“Gender Resource Guide”](#)¹⁵ – a comprehensive guide for parents responding to gender identity policies in schools

D. What are the facts about gender dysphoria in children?

Parental Rights: Parents should be able to choose a learning environment in which their child’s biological sex is affirmed.

[Gender dysphoria](#)¹⁶ (GD) refers to a person’s distress over the disconnect between their sex (whether they are male or female) and their feelings of gender (expression of whether they are male or female). Until 2013, the American Psychological Association (APA) treated gender dysphoria as a mental disorder in the Diagnostic and Statistical Manual of Mental Disorders (DSM). Under political pressure, the DSM was changed to list only the stress associated with GD (not the condition itself) as a mental disorder. Youth with gender dysphoria often have other mental health conditions, including depression, anxiety, autism spectrum disorders, and attention deficit hyperactivity disorder (ADHD) that often go unexplored.

Research has shown a significant increase in the rise of gender dysphoria among American youth. A Brown University [study](#)¹⁷ on Rapid-Onset Gender Dysphoria (ROGD) showed that the rise in gender dysphoria among girls was causally linked to members of their peer group identifying as transgender. According to the study, the number of girls seeking transition surgery in America quadrupled from 2016 to 2017. According to a [2019 NBC News article](#),¹⁸ 1 in 50 (or 2%) of high school students identified as transgender compared to only 0.6% of adults in 2017, according to [USA Today](#).¹⁹ These figures raise questions about whether policies and curricula in schools, which promote transgender ideology, are influencing students to question, or even reject, their biological sex.

The New York Times recently highlighted the voices of doctors who are concerned that youth are being rushed into “gender transition.” Transition begins by social affirmation of a child’s feeling that he or she is a member of the opposite sex. Dr. Kenneth Zucker, an expert in gender dysphoria in children, has concluded that using different names and pronouns for a child is “a psychosocial treatment that will increase the odds of long-term persistence.” This is particularly startling when contrasted with the fact that 80% to 90% of children eventually “desist” and become comfortable with their biological sex as long as they are not treated as the opposite sex.

No child is born in the wrong body. While school transgender policies may seek to promote “tolerance” by promoting the social transitioning of students in the classroom, they do a grave disservice to both students struggling with gender dysphoria and their parents.

KEY TAKEAWAY: Parents can tell schools not to introduce confusion into the minds of students by promoting transgender ideology.

Additional Resources:

[How to Speak Up About Gender Identity](#)²⁰ – a short guide to terminology about gender identity

[“Irreversible Damage: The Transgender Craze Seducing Our Daughters”](#)²¹ by Abigail Shrier

[“When Harry Became Sally”](#)²² by Dr. Ryan T. Anderson

[“Trans Life Survivors”](#)²³ by Dr. Walt Heyer

E. How can parents protect their children from transgender ideology in schools and from school policies (“gender support plans”) that keep the schools’ social transitioning of students hidden from their parents?

Parental Rights: Every parent should be informed of, and involved in, important life decisions regarding their child. Parental rights are undermined when authority figures withhold information from parents about their child, encourage the child to withhold information from his or her parents, or take any action that undermines the parents’ role in guiding their child.

As Maria Keffler of Advocates Protecting Children points out, the infusion of gender ideology into schools is insidious because “kids trust trusted adults.” But schools aren’t merely telling students **to trust** transgender ideology. They are also telling children **not to trust** their parents if they will not affirm the child’s new, and often school-encouraged, gender identity.

Schools around the country have adopted “Gender Support Plans” (GSP) that encourage students to “socially transition” at school by dressing in clothes of the opposite sex or using different names and pronouns without informing their parents. The plans sometimes encourage school employees to deceive parents by keeping separate “shadow” files on students hidden from parents. Therefore, parents may be unaware that their child is being addressed by teachers and classmates by a pronoun that corresponds with a transgender identity and a name that differs from their legal name.

In [Madison](#)²⁴, Wisconsin, parents challenged a gender support policy that kept them in the dark. Dr. Stephen B. Levine, a distinguished life fellow of the American Psychiatric Association, provided an affidavit in the case stating that social transitioning of children is an experimental therapy that exposes vulnerable children to dangerous lifelong physical, social, and mental health risks. According to Dr. Levine:

“For a child to live radically different identities at home and at school, and to conceal what he or she perceives to be his or her true identity from parents, is psychologically unhealthy in itself, and could readily lead to additional psychological problems.”

A state court in Wisconsin ordered the Madison school district not to conceal information or lie to parents about their child’s names or pronouns providing a significant victory for parental rights.

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**AFFIRMATIVE
CARE REALLY
MESSED ME UP.**

However, [another](#)²⁵ Wisconsin school district (under a similar policy) hid information from parents and then openly defied the wishes of those parents to have their 12-year-old daughter be addressed only by her given name and with female pronouns. Her parents had no choice but to withdraw their daughter from the school. After just two weeks, their daughter reconciled with her biological sex and told her parents, “Affirmative care (affirmation of a transgender identity) really messed me up.” School officials do not have the medical expertise, much less the authority, to make healthcare decisions for students. When they treat students according to a different gender identity without parental consent or notification, they violate the fundamental rights of parents to direct the upbringing and education of their children.

KEY TAKEAWAY: Parents can support policies that hold school officials legally accountable for efforts to socially transition a student who is confused about his/her gender, including (but not limited to) efforts to keep separate shadow records or use pronouns or names that align with a student’s gender identity rather than their biological sex.

Additional Resources:

[Doe v. Madison Metropolitan School District](#),²⁶ including expert statement of Dr. Stephen B. Levine

[B.F. v. Kettle Moraine School District](#),²⁷ including statements of Dr. Kenneth J. Zucker

[Harrisonburg City Public Schools](#)²⁸

[Advocates Protecting Children](#)²⁹ – a non-profit organization dedicated to supporting churches, schools, organizations, families, and individuals fighting the gender industry, and to protecting children from unethical social and medical transition

F. What helpful resources are available for parents of children who struggle with gender dysphoria or same-sex attraction?

Parental Rights: Every parent has the right to choose counseling or healthcare treatments for their child, which the parents determine to be safe, appropriate, and in their child’s best interest. This choice should be made without government interference based on biased ideologies about sexuality, sexual orientation, or gender identity.

Decades of research and clinical studies have demonstrated that individuals can benefit from therapeutic approaches that help them embrace their biological sex, overcome unwanted same-sex attraction, and resolve gender confusion and discomfort. Parents of children struggling with sexual orientation and gender identity issues have the right to seek counseling, which they believe will lead to their child’s increased self-acceptance, decreased mental anguish, and greater acceptance of their biological sex and body.

Nevertheless, states and localities are passing laws that censor private counseling sessions by prohibiting conversations designed to help individuals become comfortable with their biological sex or reduce unwanted same-sex attraction. Respected counselors and professionals face suspension, loss of license, and [heavy fines](#)³⁰ if they use their expertise and knowledge to give evidence-based opinions to struggling children and their parents. Such laws politicize the practice of medicine, undermine the freedoms of speech and religion, and violate the fundamental rights of parents to oversee the upbringing and healthcare of their children.

Counseling that helps children become comfortable with their biological sex and bodies is currently permitted in 30 states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Carolina,

North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, and Wyoming. But some of these states partially ban such counseling by restricting funding (Michigan, Minnesota, North Carolina, and Wisconsin) or the type of counselors that can offer therapy (North Dakota).

Three states (Alabama, Florida, and Georgia) passed therapy bans that are currently not being enforced, but only due to pending litigation. In addition, 20 states and D.C. censor counseling for minors with unwanted same-sex attraction or gender dysphoria. These bans (misleadingly described as “conversion therapy” bans) do not focus on harmful or abusive techniques. Rather, they silence a disfavored viewpoint.

Parents and [counselors](#)³¹ are fighting against these bans. [Crystal](#)³², a mother in New Jersey, wrote:

“Children and youth struggling with their gender identity should be allowed to discuss ‘why’ they feel uncomfortable in their bodies. Questions such as why they feel their lives would be better after they transition should be asked. Children need options, not hormones and surgeries. ... But, the gender affirmation-only approach in states like New Jersey only encourages our children and young adults to transition. We would serve our children better by providing them with proper mental evaluations as to why they experience anxiety in their real bodies.”

KEY TAKEAWAY: Parents can oppose counseling bans that limit a counselor’s autonomy and professional discretion in choosing therapeutic approaches designed to help youth struggling with unwanted same-sex attraction or gender dysphoria.

Additional Resources:

[American College of Pediatricians](#)³³ – helpful information about gender dysphoria in children, which does not encourage gender affirmation

G. What rights do parents have regarding their child’s healthcare and how are these rights being violated?

Parental Rights: Every parent has the right to be informed about their child’s healthcare. Every parent should be able to seek information about treatment that affirms their child’s biological sex and does not interfere with his or her reproductive capacity.

In 2021, two leading “transition” [surgeons](#)³⁴ (who identify as transgender) warned of “sloppy care” leading to the casual transition of children and youth without adequate psychological counseling. Physical interventions on the bodies of children for the treatment of gender dysphoria (including puberty blockers, cross-sex hormones, and sterilizing surgeries) have not been proven safe or effective for minors.

However, transgender activists and organizations like the American Academy of Pediatrics (AAP) recommend physical interventions to “resolve” children’s mental and emotional distress with their bodies. In the child-led “gender affirmative care” model, parents are to listen and defer to their children’s feelings, and children are encouraged to begin puberty blockers at 12 years old, cross-sex hormones at age 16, and life-altering surgeries such as mastectomies, hysterectomies, and surgical castration at age 18.

Many parents are not informed that puberty blockers may actually cement their child’s gender confusion and that nearly 100% of children who take puberty blockers will continue on to take cross-sex hormones (e.g., boys will take estrogen, girls will take testosterone). The off-label uses of these drugs are known to result in

serious physical harms to children, including degenerative disc disease, osteoporosis, cardiovascular disease, diabetes, blood clotting, and even cancer. These drugs can also contribute to mental health problems such as depression and anxiety. Ultimately, the use of puberty blockers followed by hormones of the opposite sex can also result in permanent sterilization.

Many transgender activists recommend that youth undergo gender affirmation in secrecy if their parents do not support transition. In states like [Oregon](#)³⁵, a 15-year-old can obtain these surgeries paid for by Medicaid without parental notification or consent. In [California](#)³⁶, the [law](#)³⁷ requires that medical insurance hide information from parents about their child’s surgical and hormonal interventions for gender dysphoria.

Transgender activists argue for these controversial interventions by suggesting they are necessary to prevent suicide, but the truth is that no evidence supports this emotionally manipulative argument. Instead, one [study](#)³⁸ from Sweden (which was cited by the Obama Administration’s Centers for Medicare and Medicaid Services) showed that individuals are nearly 20 times more likely than the average person to commit suicide **after** undergoing surgery to attempt to “reassign” sex. This troubling statistic shows why parents should have access to the full gamut of information about the emotional, psychological, and mental risks of “transition,” as well as the physical ones.

Medical professionals and authors have been “cancelled” for raising alarms about the risks of gender affirmation in children. Amazon banned Dr. Ryan T. Anderson’s book “When Harry Became Sally,” which questioned gender affirmation in children. And the University of Louisville terminated [Dr. Allan Josephson](#),³⁹ chief of the Child and Adolescent Psychiatry and Psychology Division, after he publicly advocated for medical professionals to first seek to understand and treat the psychological issues that often cause gender dysphoria, rather than first pursuing more radical, aggressive treatments. ADF filed a [lawsuit](#)⁴⁰ against the university for violating Dr. Josephson’s freedom of speech.

Politicizing medicine through punishment of doctors deprives parents of information and healthcare options that align with their values and are in the best interests of their children.

KEY TAKEAWAY: Parents can support policies that protect the conscience rights of medical professionals so that they can provide relevant information about the harms of gender affirmation in children and then recommend alternative courses of action.

Additional Resources:

[“Transgender and Gender Diverse Children and Adolescents: Fact-Checking of AAP Policy”](#)⁴¹ by Dr. James Cantor

[American College of Pediatricians](#)⁴² – an organization that promotes evidence-based healthcare for youth with gender dysphoria

[“Physical Interventions on the Bodies of Children to ‘Affirm’ their ‘Gender Identity’ Violate Sound Medical Ethics and Should be Prohibited”](#)⁴³ by Ryan T. Anderson and Robert P. George

H. What is Comprehensive Sexuality Education (CSE) curricula and why is it harmful to children?

Parental Rights: Every parent should be able to choose an education for their child that is free from graphic sexual content, the promotion of abortion, and politicized ideas about sexual orientation and gender identity, which may not align with their moral or religious values.

The increase of sexually explicit content in K-12 education materials is the result of [international](#)⁴⁴ and domestic efforts to promote Comprehensive Sexuality Education (CSE). The CSE movement is based on the controversial premises that children are sexual beings from birth and have a human right to sexual pleasure and experimentation from a young age. The United Nations, the international and domestic branches of Planned Parenthood, Sexuality Information and Education Council of the United States (SIECUS), and LGBT advocacy groups advocate that CSE is an essential part of public education that should be taught to children beginning in kindergarten.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) [developed](#)⁴⁵ the “International Guidelines on Sexuality Education,” which are closely aligned with the SIECUS guidelines on CSE. Both normalize high-risk sexual behaviors, encourage promiscuity, and promote politicized views of sexual orientation and gender identity. Supporters argue that CSE reduces health risks, but a comprehensive review of 120 studies on the effectiveness of CSE concluded that CSE programs failed 87% of the time and had no notable long-term positive effects. Out of the 120 [studies](#)⁴⁶, 16 showed that CSE programs worldwide led to decreased condom use and increased sexual activity and sexually transmitted diseases (STDs), as well as increased sexual violence.

CSE harms children through [exposure](#)⁴⁷ to graphic sexual materials that are known to [damage](#)⁴⁸ [normal](#)⁴⁹ brain development and lead to premature sexual activity, and also higher rates of depression, anxiety, and teen pregnancy. CSE focuses on normalizing teen sexual activity so long as such activity is consensual and protected. However, children of minor age should never be encouraged to “consent” to sex, regardless of the age of the other person.

CSE also fails to instruct children on healthy relationships and accurate medical data regarding the known failure rates of contraception. [Abstinence](#)⁵⁰ [education](#),⁵¹ which has been shown to protect children’s health and is overwhelmingly preferred by the majority of parents, is often absent or underfunded.

CSE also [promotes](#)⁵² contraception, the “morning-after pill,” and touts abortion as a safe procedure with no lasting physical or emotional implications. Even though entities like Planned Parenthood have a [conflict of interest](#)⁵³ since they stand to profit from CSE programs, which encourage sexual promiscuity, such entities are the primary developers and implementers of CSE curricula nationwide.

In addition, CSE undermines [parental rights](#)⁵⁴ by promoting content and viewpoints that are at odds with the moral and religious values most families want to instill in their children. The CSE guidelines from SIECUS instruct students between the ages of 12 and 15 that “[s]ometimes the values one learns in society conflict with the values one has learned from family, religion, or culture [and v]alues should be freely chosen after the alternatives and their consequences are evaluated.” Schools violate parental rights when

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Every parent should be able to choose an education for their child which is free from graphic sexual content . . .

students are taught that they have a right to privacy from their parents and should hide what they are taught in school. Parental rights are further undermined when minors are encouraged to obtain sexual counseling and services (including contraception and abortion) without parental knowledge or consent.

KEY TAKEAWAYS: Parents can advocate for policies that treat sex education programs as voluntary electives (opt-ins) and that provide general opt-outs from other sensitive topics.

Parents can advocate for policies that ensure their right to review all education materials, and they should seek accountability for state actors (including educators) who dispense contraception or assist a minor in obtaining an abortion without parental knowledge or consent.

Additional Resources:

[CSE Harmful Elements Analysis Tool](#)⁵⁵ – developed by Family Watch International to assess harms of CSE curricula

[StopCSE.org](#)⁵⁶ – website created to warn against the explicit content of CSE curricula

III.

TOOLS FOR PARENTS

A. How can parents know what is being taught at school, and what books, videos, and websites students are being exposed to, including use of the Freedom of Information Act (FOIA) and open records requests?

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Parents have a right to transparency and full knowledge of what . . . their children are being exposed to at school.

Parental Rights: Parents have a right to transparency and full knowledge of the written and online materials their children are being exposed to at school.

Children spend a minimum of 30 hours each week in a classroom setting. It is a parent’s right and obligation to know what is taught and which materials (written, audio-visual, online, and spoken) are utilized during the school day and if these materials contain elements of harmful SOGI/CSE and CRT ideology.

When parents make an information request, they are entitled to expect a thorough response from the district and/or local school administrator. But too often, this is not the case. Open records requests give parents the right to request any recorded information held by a public authority. They are also one of the best ways to find out what is going on behind closed classroom doors because they can expose supplemental materials, outside resources, teachers’ manuals, and information regarding ongoing training teachers receive.

An FOIA request is for documents and other communications that already exist. Districts are becoming increasingly aware of the effectiveness of requests, so they may purposely avoid creating official documents, lists, and communications. Be aware that if a district is operating in this manner, they may respond that “there are no records responsive to your request.” This type of response is not a dead end – it just means that parents must keep digging. It is imperative that an FOIA request be very specific. The following guidelines will be helpful in formulating a request:

DO NOT ask for a list of books, videos, websites, etc. If the district doesn’t have that specific list, they can legitimately claim they have no document to send.

DO ask to copy or inspect textbooks and written or online materials that were used in a specific class or activity during a specific time frame.

DO tailor requests. If, for example, the request is for a list of library books, they may be available, but may not include classroom books, donated books, or new books ordered during the year.

DO NOT ask for a list of members if the school district has a committee devoted to a questionable topic such as “Equity” or “Inclusion.”

DO ask for all emails and other correspondence between specific district employees, board members, or any other person you suspect is involved in the work of the committee devoted to topics such as “Equity” or “Inclusion.” Along with all the names of participants, they will supply information on other groups with which they are working, actions taken, and plans for future implementation of questionable material.

DO ask for correspondence or emails that cite a specific resource, website, or title. Teachers often supplement curriculum with videos, books, and websites, and that information is not usually kept by the district. When the district responds, chances are they will include unexpected information, creating another avenue to pursue.

When submitting a request, remember that it is just a starting point. The information provided will likely create more questions, but it will also point parents to additional and more specific document requests that will be helpful. Do not be intimidated by the process. With perseverance, parents can prevail.

Additional Resources:

[Capitol Resource Institute](#)⁵⁷

[National Freedom of Information Coalition](#)⁵⁸ – list of FOIA laws by state with samples

[Student Press Law Center – Public Records Letter Generator](#)⁵⁹

B. How can parents opt out/opt in of various school curricula?

Opt-in policies give parents the most choice while opt-out policies are a passive right that parents must actively assert, preferably at the beginning of each school year and separately for each enrolled child. Only six states (Arizona, Indiana, Mississippi, Nevada, North Carolina, and Utah) require that parents affirmatively opt their children in for sex education, and the obtaining of parental consent is to be initiated by the school.

Thirty-six states and D.C. allow parents to opt out of any sex education on behalf of their children. Twenty-five states and D.C. require school districts to notify parents that sex education will be provided. Thirty states and D.C. require public schools to teach sex education.

Source: [National Conference of State Legislatures](#)⁶⁰ – describes the status of sex education in individual states.

Additional Resources:

[Sample opt-out letter](#)⁶¹

C. What federal laws protect the rights of parents and students?

Parental Rights: Parents have the right to information contained in their child’s education records and must consent in writing to its disclosure to other parties. Parents also have the right to inspect any instructional materials, and to opt their children out of lessons or surveys that they deem inappropriate.

The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) is a federal law enacted in 1974 that protects the privacy of a student’s education records. The Act has two primary purposes. First, it gives parents

and students more control over their educational records. Second, the Act restricts educational institutions from disclosing “personally identifiable information in education records” without written consent. FERPA applies to both public and private schools that receive funds from the U.S. Department of Education.

FERPA allows for disclosures of student information to be made without parental authorization to certain entities, including outside organizations, which schools retain to conduct studies (i.e., collect data) for or on behalf of the school. This loophole poses risks to the privacy of student education records. Educational software and technology companies have collected information from students covering data points, including on family structure, religious affiliation, medical information, expressed interest in homosexuality or gender identity issues, and drug use. Companies use this data to develop analytics to drive curricula and also sell it for college recruitment and data analytic products.

The Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA) applies to all public and private schools that receive any form of federal funding. It protects the rights of students with regard to any kind of evaluation, analysis, or survey that involves one or more protected issues, including a student’s political affiliations or beliefs, or that of their parents; mental or psychological concerns, or that of their family; sexual attitudes and behaviors; various incriminating behaviors; critiques of close family relationships; privileged relationships (such as with doctors, attorneys, or clergy); religious affiliations or beliefs, or that of their parents; or income information (except as needed for program eligibility or financial aid). Many schools now administer evaluations or services developed by outside student data mining companies that target sensitive gender and race issues, including information regarding students’ sexual preferences.

The PPRA gives parents the right to opt their children out of studies and surveys that seek such sensitive, controversial, and highly personal information, and also gives parents the right to file complaints for any violations. Under the PPRA, parents likewise have the right to inspect “any instructional material” that is part of a school’s educational curriculum, but they must proactively exercise this important right to inspection. Schools have no duty to voluntarily disclose this information. It is critical that parents engage their child’s school and challenge any infringement on their rights, or the rights of their child.

Parents can exercise their rights under the PPRA by sending a letter to their child’s school requesting inspection of all learning materials, surveys, or evaluations to be administered, including related documents such as teacher training information that impacts student instruction. If a school does not comply with a parent’s request, the parent can file a formal complaint with the U.S. Department of Education. If the complaint is determined to be founded, the Department can terminate that school’s funding for refusing to fulfill the parent’s request as required by law. If the Department does not take appropriate action, parents may have a viable legal cause of action.

Key Takeaways: Parents can regularly and proactively request in writing to: (a) review the entirety of their child’s education records, including any files involving counseling on gender identity issues; and (b) inspect and review any instructional materials and/or surveys involved in their child’s education, including teacher training information.

Additional Resources:

[File a complaint for violations of FERPA and/or PPRA](#)⁶²

Students' Rights:

The proliferation of SOGI/CSE and CRT curricula and policies in schools can, in some cases, result in the violation of a student's civil rights under various laws. Bringing violations to light for evaluation and investigation can be helpful in combatting such harmful policies. Guidance for filing a discrimination claim can be found at: [U.S. Department of Education](#).⁶³

D. How can parents advocate before school boards to protect children and preserve parental rights?

Parental Rights: Parents have the right to seek Accountability, Choice, and Transparency by voicing their concerns and pursuing policies/laws that protect their child and safeguard their parental rights.

School boards and legislators are elected by the people and for the people, and parents should call upon elected officials to fulfill their civic duty to represent parents and children through sound policies and laws that safeguard parental rights and protect children from harm. Engaging school boards and legislators can be intimidating, but it is an important element of protecting children and preserving parental rights. Becoming a parental rights advocate requires courage and persistence, but safeguarding parental rights while protecting children is the responsibility and duty of every parent.

School Boards

First, parents should research their school district and know the name, email address, and telephone number of the school board representative for their district. Parents should regularly engage their school board members by calling and writing about matters and topics of concern to them and their children.

Second, parents should register in advance (easily found on most school district websites) to speak at scheduled board meetings about issues impacting their child's education, safety, and physical and mental health. All communication with school board members (whether in person, by phone, or in writing) should be clear, concise, civil, and courteous (the "4 C's" of communication), but should also be personal, relevant, and impactful. When speaking publicly, having well-prepared statements that can be read in the time allotted can ease nerves and spotlight with great impact the importance of the issues at hand.

Third, parents should connect with other concerned parents and citizens for the benefit of shared information, strength in numbers, and encouragement for the task at hand. Being a parent who is willing to show up and speak at school board meetings is a victory for all parents, whose rights to government Accountability, Choice, and Transparency must be proactively exercised and relentlessly preserved.

E. How can parents win the battle against SOGI/CSE and CRT by taking back their school board?

Parental Rights: Parents can, and should, actively direct the education of their children by serving in and supporting positions of leadership on their local school boards.

Parents who desire to firmly win the battle against SOGI/CSE and CRT in schools should strongly consider running for their local school board, as well as supporting other like-minded candidates who will promote protective policies for children and respect for the fundamental rights of parents.

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Parents have the right to seek Accountability, Choice, and Transparency.

Additional Resources:

[FreedomWorks – BEST Academy on running for school board](#)⁶⁴

[Running for School Board – A Starter Guide!](#)⁶⁵ – a guide developed by Parents Defending Education to equip and empower parents to seek election to their local school boards

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Freedoms must be constantly promoted and protected by courageous parents in order to preserve America and its future generations.

F. How can parents seek legal help if they think their (or their child’s) rights have been violated?

Parents who believe that their (or their child’s) rights have been violated in education or healthcare can contact [Alliance Defending Freedom](#)⁶⁶ (ADF) for legal advice. The U.S. Constitution, federal laws, and state laws protect the rights of both students and parents. These protections are well-established principles upon which our nation was founded, but these freedoms must be constantly promoted and protected by courageous parents in order to preserve America and its future generations.

First Amendment to the U.S. Constitution (freedom to speak; freedom from being compelled to speak; freedom of religion and conscience)

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech.”

Freedom of Speech

The First Amendment to the U.S. Constitution guarantees every American, both young and old, the freedom to speak. This includes the freedom to speak a message from a viewpoint that differs from that of the government. It also includes freedom from “compelled speech,” which means the government may not force a person to speak a message that violates his or her conscience.

In Albemarle County, Virginia, public school students were forbidden from questioning or disagreeing with an “Anti-Racism” policy that portrayed white students as oppressors and minorities as victims. The policy characterized “colorblindness” and being apolitical as “racist.” It pressured students to adopt particular positions on controversial political issues like immigration and criminal justice reform and told them to oppose “white-dominant culture.” On behalf of the students (via their parents), ADF challenged the policy on free speech grounds because it threatens to punish students for speaking from a different viewpoint than the school, and also pressures them to affirm messages with which they do not agree.

Freedom of Religion

The First Amendment to the U.S. Constitution also protects freedom of religion and conscience. This includes the freedom from government compulsion to affirm a message that violates one’s religious or moral beliefs. The parents in Albemarle County who challenged the public school’s Anti-Racism policy also alleged violations of religious freedom under the state constitution because the policy discriminated against students on the basis of their religion. It treated “Christianity as a dominant identity” and “Islam, Buddhism, Judaism, and atheism” as “subordinate.”



Three Virginia teachers are suing school district over policy that would violate their freedom of religion and compel them to deny biological truth.

In [Loudoun County, Virginia](#)⁶⁷, three public school teachers challenged a school board policy that forced teachers to deny the truth about biological sex by addressing students using pronouns different than their biological sex including xe, xir, and so on. The school district suspended one of the teachers for objecting to the policy at a school board meeting. His concerns were based on his sincerely held religious beliefs that we are created either male or female. ADF won a lawsuit on his behalf on the grounds that the punishment violated his freedom of religion and compelled his speech. The lawsuit also challenges the existence of the gender policy itself.

Due Process Clause of the 14th Amendment to the U.S. Constitution (protects parental rights)

“No state shall ... deprive any person of life, liberty, or property, without due process of law.”

The due process clause of the 14th Amendment requires the government to respect the fundamental rights of parents to direct the education and upbringing of their children. This includes decisions regarding both the mental and physical health of their children. Below are examples of ADF parental rights cases that were filed under the due process clauses in state constitutions that parallel the U.S. Constitution.

In Wisconsin, two school districts adopted “gender support plans” that violated parental rights. In Madison, the plan mandated that teachers address students according to transgender ideology (using names and pronouns that correspond to the opposite sex). The policy instructed school officials to conceal this information from parents if the students requested it, including by maintaining separate and confidential student files. The policy directly interfered with parents’ rights to guide their children through difficult and potentially life-altering decisions, because parents cannot adequately address issues if they are not aware of them.

In Wisconsin’s [Kettle-Moraine School District](#)⁶⁸, school officials took a policy similar to the one in Madison and went further. They violated parental rights by hiding information from the parents of a 12-year-old girl who experienced gender dysphoria. They then defied the parents’ instructions to address their daughter with pronouns and the name that accords with her biological sex. The policy’s “affirmation” of a minor student’s gender transition took a controversial, psychologically impactful, and potentially life-altering decision out of the hands of parents. Instead, it put the healthcare of children into the hands of school employees who had no relevant expertise, and/or into the hands of children without the maturity to make such decisions.

In the Albemarle County school district, parents challenged the Anti-Racism policy for violating their children’s rights by promoting racial stereotypes that burdened students with collective guilt or subordinate status. The policy of indoctrination also violated parents’ (and students’) rights by using their race to treat them differently.

The rights of parents may also be violated if a school threatens to discipline students who do not conform to the tenets of Critical Theory. In Albemarle County, the disciplinary standards accompanying the “Anti-Racist” policy were vague and gave school officials unbridled discretion to arbitrarily prohibit and/or compel students’ speech.

Parental rights do not end at the schoolhouse gate.

Equal Protection Clause of the 14th Amendment to the U.S. Constitution (freedom from discrimination)

Section 1 of the 14th Amendment prohibits the government from denying “*to any person within its jurisdiction the equal protection of the laws.*”

This clause protects all Americans from discrimination on the basis of race, ethnicity, religion, or sex. When Critical Theory in the classroom segregates students into different groups by skin color, labeling some as “oppressors” and others as “victims,” parents may also rely on this provision of the U.S. Constitution and similar provisions in state constitutions.

In Albemarle County, Virginia, a diverse group of parents challenged the Anti-Racism policy on the grounds that it, and the classroom instruction it mandated, discriminated against their children on the basis of race, dramatically undermining their educational experiences and depriving them of equal access to their schools’ resources and opportunities.

In *Parents Involved in Community Schools v. Seattle, 551 U.S. 701 (2007)*, a case on racial quotas, the U.S. Supreme Court struck down a policy that expressly “distributes burdens or benefits on the basis of individual racial classifications.”

Title VI of the 1964 Civil Rights Act (prohibits federally funded institutions from discriminating on the basis of race, color, or national origin)

Title VI prohibits schools and other institutions from discriminating against students on the basis of their race, color, or national origin. Policies and curricula that classify or stereotype students on the basis of their race or ethnicity may violate Title VI by creating a hostile learning environment. Title VI can be used to challenge both curriculum and teacher training programs.

Title VII of the 1964 Civil Rights Act (prohibits employment discrimination based on race, color, religion, sex, and national origin)

Teachers or school officials who believe that their employers are discriminating against them because they dissent from Critical Theory may also file claims under Title VII, which is enforced by the [U.S. Equal Employment Opportunity Commission \(EEOC\)](#).⁶⁹

“
PARENTAL RIGHTS DO NOT END AT THE SCHOOLHOUSE GATE.”

Title VII defines a hostile or toxic work environment as one that involves “unwelcome conduct that is based on race, color, religion, national origins, age, disability, or genetic information ... which rises to the level of severe, pervasive, and objectively offensive.” It “may include, but is not limited to ... slurs, epithets or name calling, ... ridicule or mockery, insults or put downs.” If the implementation of Critical Theory in schools leads to employees being subjected to these actions, the employees may have a cause of action. Similarly, if an [employer](#)⁷⁰ mandates training sessions with race-based distinctions or instructions (e.g., to confess “white privilege”), this may violate the civil rights of employees. If an employer uses CRT as the basis for the selection, training, or evaluation of employees, that may violate their responsibility to avoid creating a hostile work environment.

G. How can parents advocate for laws and policies that safeguard children and protect parental rights (including engaging state and federal legislators, and local school boards)?

Parental Rights: In order to combat harmful ideologies, parents can and should become active and engaged, raising the awareness of legislators and school boards while advocating for sound laws and policies that safeguard children and protect parental rights. Such laws and policies will provide government Accountability, Choice, and Transparency (ACT).

Legislators

Parents with the courage to face a school board (most of which are increasingly hostile toward outspoken parents) should have no problem engaging their state legislator over education and healthcare issues affecting children. The first step is knowing who your legislator is and how and where to reach them. This information is easily found at [OpenStates.org](https://www.openstates.org)⁷¹ via a simple address search.

The second step is proactively reaching out. Legislators are elected to represent the interests of their constituents, and most value hearing from the people they represent. As with school boards, it is important to use the 4 C’s of communication and be clear, concise, civil, and courteous in asking legislators to take specific action on important matters related to child education and healthcare. Engaged parents should know the issues, build relationships with legislative staff, voice concerns over important issues in a timely manner, and freely share information among friends, family, and neighbors to facilitate community engagement.

Parents can also partner with state and national grassroots organizations like Alliance Defending Freedom, Family Policy Alliance, ParentalRights.org, or their state’s Family Policy Council. All of these organizations link arms with parents and concerned citizens to protect family values and engage legislators through online petitions, grassroots efforts, and calls to action.

Legislators must be encouraged to introduce and support legislation that ensures government **Accountability** for violations of parental rights, offers **Choices** for parents to obtain the best possible quality education and healthcare for their children, and creates **Transparency** so parents know what their children are being taught and how they are being treated.

Additional Resources:

[Promise to America’s Children](#)⁷² – ten principles for parents and legislators to protect children’s minds, bodies, and family relationships from sexualization and gender ideology

[ADF Center for Legislative Advocacy](#)⁷³ – Learn about ADF’s work in Congress and state legislatures to protect parental rights.

[ADF Center for Parental Rights](#)⁷⁴

**Courageous parents are standing up
for their children at school boards, in
courtrooms, and legislatures.**

**Alliance Defending Freedom is committed
to defending the fundamental rights of
parents to direct the upbringing, education,
and care of their children.**



ALLIANCE DEFENDING
FREEDOM

FOR FAITH. FOR JUSTICE.

Endnotes

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