

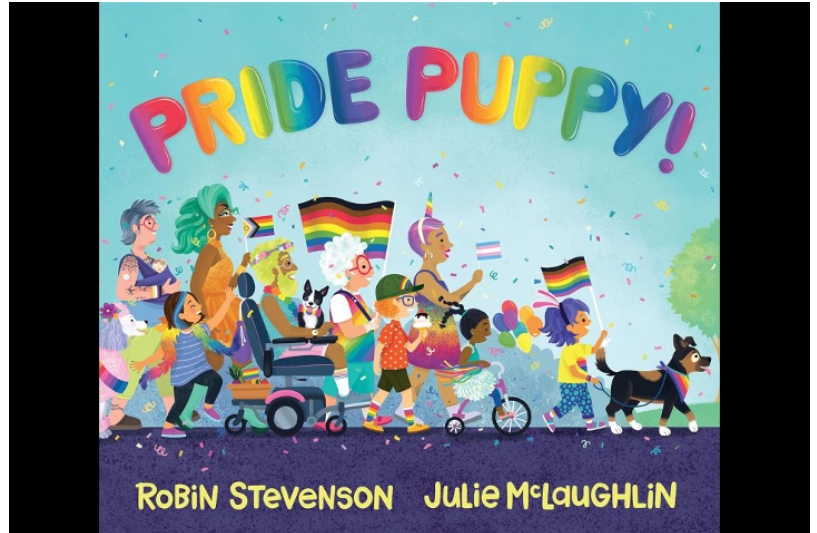


Written by [Michael Tennant](#) on September 15, 2024

Maryland Parents Ask Supreme Court to Rule on Schools' Mandatory LGBTQ Lessons

A religiously diverse group of Maryland parents is petitioning the Supreme Court to consider whether their local school district may force students to submit to LGBTQ indoctrination against their parents' wishes.

"Parents shouldn't have to take a back seat to anyone when it comes to introducing their children to complex and sensitive issues around gender and sexuality," Eric Baxter, vice president and senior counsel at Becket, the nonprofit law firm representing the plaintiffs, said in a [press release](#). "Nearly every state requires parental consent before high schoolers can attend sex-ed. Parents should have the right to excuse their elementary school children when related instruction is introduced during story hour."



Amazon.com

Pride Goeth in the Fall

According to the plaintiffs' [petition](#) (citations omitted from all quotations):

In November 2022, the [Montgomery County Board of Education] introduced for the first time "LGBTQ-inclusive" storybooks for students in elementary school, with corresponding guidance for teachers. It told employees responsible for selecting the books to review options through an "LGBTQ+ Lens" and to ask whether "stereotypes," "cisnormativity," and "power hierarchies" are "reinforced or disrupted."

Among the new books was *Pride Puppy!*, a picture book for three- and four-year-olds that describes a Pride parade — although it likely omits such sights as "a sex pervert in his underwear twerking in front of small children," as [The New American](#) reported concerning Minnesota's 2023 parade. It does, however, ask kids to find certain images in a Pride-parade picture, including "underwear," "leather," "lip ring," "[drag] king," "[drag] queen," and LGBTQ activist and prostitute "Marsha P. Johnson."

Another picture book, *Intersection Allies*, discusses what it means to be "transgender" or "non-binary" and invites children to discuss the pronouns that "fit" them.

The list goes on. *Love, Violet* concerns a "same-sex playground romance," says the petition. *Born Ready*

tells the story of a biological girl named Penelope who identifies as a boy. When Penelope's brother questions how someone can "become" a boy, his mother chides him that "[n]ot everything needs to make sense. *This is about love.*" Teachers are told to instruct students that, at birth, people "guess about our gender," but "[w]e know ourselves best." [Emphasis in original.]



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As mentioned above, teachers were given specific guidance about how to approach the curriculum — all of it, of course, in keeping with the LGBTQ line. “The guidance directs teachers to frame disagreement with these ideas as ‘hurtful,’ and to ‘[d]isrupt the either/or thinking’ of students,” the plaintiffs wrote.

Although Montgomery County elementary-school principals objected to the books, the board forced the books on them. Teachers are required to read at least one of the books to their students each year.

Board Stiffs Parents

At first, in keeping with its Religious Diversity Guidelines, the board allowed parents to opt their children out of lessons involving the new books. It even issued a statement to that effect on March 22, 2023.

The very next day, however, the board reversed itself, stating that opting out would not be permitted and parents would not be notified of when the books were to be read. But the board continued to allow students to opt out of sex education and “any other instruction that violated their religious beliefs,” reads the petition.

In response, over 1,100 parents signed a petition asking the board to revert to its previous policy. According to the plaintiffs, “Board members responded by publicly accusing them of promoting ‘hate’ and comparing them to ‘white supremacists’ and ‘xenophobes.’” Later, the board rescinded practically all opt-out rights.

The board’s hostility drove some of the parents — Christians, Jews, and Muslims — to file a [federal lawsuit](#) alleging violations of their First Amendment rights, not to mention the board’s own policy and Maryland law, which demands parental opt-outs of “family life and human sexuality instruction.”

The district court denied their request for an injunction.

A three-judge panel of the 4th Circuit Court of Appeals voted 2-1 to uphold the decision, arguing that since the school board’s policy didn’t “compel” parents “to change their religious beliefs or conduct” or “what they teach their own children,” their right to freely exercise their religion had not been infringed.

Curb Appeal

The parents are now appealing to the Supreme Court.

They offer several reasons why the Court should consider their case. First, the appeals courts are divided as to whether public schools may compel students to participate in activities that conflict with their faith. Second, the 4th Circuit’s decision “conflicts with free-exercise precedents.” Third, their case presents “a pressing question of nationwide importance”:

It is critically important for these parents — and for the Religion Clauses’ “spirit of practical accommodation” — that the Free Exercise Clause continue to apply in the public school context in a way that both ensures parental rights and is consistent with free-exercise jurisprudence elsewhere. By restricting application of the Free Exercise Clause, the court below and others like it have carved out a public-school-shaped hole to the rule that governs how free-exercise burdens are assessed in every other factual context.

“The School Board is pushing a controversial ideology that has been rejected by governments around the world and has even been criticized by the Board’s own principals as inappropriate for the intended age group,” said Grace Morrison, board member of parents’ group Kids First, one of the



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plaintiffs. “Children deserve a period of innocence. The Supreme Court should take this case, restore the opt-out, and let parents decide how and when to introduce their own elementary school kids to these sensitive topics.”





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