



INTRODUCTION: TRANSGENDER CONDITIONING

Oregon parents and guardians have the primary right to guide the education and health care services their minor children receive. Parents/guardians are the final authority in deciding what is best for their children and have the right to expect full disclosure of any and all services, content and materials disseminated to their child while at school. Parents' Rights in Education (PRIE) advocates for these parental rights. These rights extend to any and all 'Transgender Conditioning' your child may receive or be exposed to while in the care of his/her school. As Parents, guardians and communities across Oregon and the nation learn how the federal government and the Department of Education are grooming their children to accept unhealthy and unnatural bodily changes, they are pushing back to safeguard the privacy, safety and well-being of their children. Parents know they can and must hold their schools accountable to provide a safe and healthy learning environment for all students.

What is 'Transgender Conditioning'?

Oregon's Health Evidence Review Committee (HERC), an unelected 10 member committee appointed by Oregon Governor John Kitzhaber, voted to allow children, at the age of 15 years to access Transgender Conditioning (Sex Change) without the knowledge or consent of their parents.¹ This can be done at taxpayer expense. There was no medically accurate, age appropriate or scientifically based evidence provided at the meeting in which this decision was made. Most of the evidence given was from the special interest group, TransActive Gender Center of Portland, Oregon. Jenn Burleton, a transgender man-to-woman and director for TransActive Gender Center, gave much of the testimony, much of which was inaccurate or misleading.

Schools, through school-based health clinics, health or mental health counseling, or during instruction (which may violate the U.S. Equal Access Act ²) time may be exposing students to materials or instruction which attempts to convince children to accept as normal, a life of chemical and surgical impersonation of the opposite sex. Children may also be told that their choice of 'gender' is fluid and may change by the 'day, hour or minute'. GLSEN (Gay Lesbian Straight Education Network) is a LBGT (Lesbian Gay Bisexual Transgender) group which sponsors in-school events with the sole purpose of transforming the beliefs of other people's children regarding homosexuality, gender fluidity, gender 'spectrum'. One such event is the Day of Silence, held during school instruction time.

The American College of Pediatricians, ACPeds (www.acpeds.org) has responded to Oregon Department of Education's (ODE) "Guidance to School Districts: Creating a Safe and Supportive Environment for Transgender Students" of May 5, 2016.³ The ODE letter includes a misrepresentation of Title IX and the threat that Federal Funding may be withheld from schools who do not comply with the edict to accommodate transgender students, allowing them to use the bathroom, locker room, showers and sports teams of their choice, opposite of their biological sex. ACPeds response letter sent to Oregon Gov. Kate Brown, includes medically and scientifically accurate information clarifying the medical and mental health risks to children who are 'guided' into transgender conditioning and grooming. ACPeds represents over 20,000 pediatricians across the nation. This letter should be provided to all Oregon school boards and administration before they make any policy decisions regarding children who believe themselves to be the opposite sex of their birth.

Dr. Paul McHugh, chief psychologist for Johns Hopkins Research Hospital, was the first to provide transgender surgery for adults, but discontinued the practice because it was not shown to improve the lives of his patients. He states that Transgender Conditioning for children is NEVER APPROPRIATE. ⁴ Walt Heyer, after years of personal experience living as a transgender, has provided empirical evidence of the physical and mental health dangers and suffering of transgender conditioning, especially for children. He is an accomplished author of many articles and books in which he shares his personal insight in hopes of preventing others from making the mistakes he made; focusing on suicide prevention and the value of ‘talk therapy’. His website offers help for those who are gender confused, and also lists his books. www.sexchangeregret.com

The questions below are intended to help parents and guardians protect the health and safety of their children while in school. Each question is preceded by a statement regarding current Oregon K-12 ‘Transgender Conditioning’ of minors while in the care of the school and also what parents/guardians should know about their School Board’s duty and responsibility to locally control the educational environment for ALL students in their schools.



The Oregon Department of Education (ODE), Deputy Superintendent of Schools, Salam Noor, has sent a 15 page ‘directive’ letter to all Oregon superintendents: “Guidance to School Districts: Creating a Safe and Supportive Environment for Transgender Students”, Issued May 5, 2016”.⁵ ***Deputy Superintendent Noor admits in this letter that it is not to be considered legal advice. U.S. Title IX, on which such directives are based, provides NO such legal or scientific basis allowing transgenders to use any facilities currently separated on the basis of biological sex. In the ODE Guidelines, the letter includes misguided information, and your school district is not mandated to implement these recommendations. Your school board and the community have local control: ORS 332.072***⁶

Parents should provide this letter if the school does not have it.

www.adfmedia.org/files/studentphysicalprivacypolicy.pdf⁷

Is your school district allowing children who believe themselves to be of a different sex than their biological sex, to use the restrooms, showers, sports teams, etc. of their choice? What is the school policy for over-night events (sleeping arrangement, etc.)? Please provide accurate and complete information in writing, and in a timely manner.

Is your school board and administration aware of the ODE’s ‘Guidance letter’ and, if so, have they read it in its entirety? Are you aware of the policy recommended by Alliance Defending Freedom which provides for health, safety and personal privacy for **all** students? Has your school board read the American College of Pediatricians’ letter to Oregon Governor Brown? Please provide accurate and complete information in writing, and in a timely manner.

Oregon House Bill 2307, (2015)⁸ makes it illegal for parents or guardians to seek mental health therapy for their own child if they believe they are suffering from ‘gender confusion/dysphoria or confusion about their ‘sexual identity’. It is also against the law for a psychologist or psychiatrists to treat any minor, under the 18 years, who may be confused by their gender. (There is an effort across the nation to deny parents the right to seek mental health care for their children. Unfortunately, it has not been challenged for its constitutionality or violation of Parents’ Rights Laws. Freedom to treat all mental disorders should be a priority. No area of concern should be exempted because of socio/political ideology.

Is your school board aware of Oregon’s HB 2307, Prohibiting ‘Conversion Therapy’, and are parents made aware of the apparent violation of their right to be the primary decision-maker for their child’s health and education? Please provide accurate and complete information in writing, and in a timely manner.

What gives Governor Brown and the Oregon Legislature the authority to pass laws which interfere in private family issues at the behest of non-profits like Planned Parenthood and TransActive Gender Center as well as government agencies? Please provide accurate and complete information in writing, and in a timely manner.



President Obama has dictated that all schools must give equal access to transgender students who wish to use the bathrooms, showers, sports teams or locker rooms of their choice or face loss of their federal funding. The President’s edict is not based in science or law. At least 11 states have already filed a lawsuit against this dictate.^{9,3}

Is your school being threatened or bullied into making accommodations for transgender students to use opposite sex locker room, showers, bathrooms, or sports teams? If you have a daughter or son, will she/he be forced to share a shower, bathroom or locker room with a transgender boy or girl? What recourse does a parent or guardian have if their child suffers mental or physical trauma as a result of allowing students to use facilities of the opposite sex (bathrooms, showers, locker rooms, sports teams, over-night events)? Please provide accurate and complete information in writing, and in a timely manner.

There is no law requiring schools to permit students to refuse to speak in class, as GLSEN (Gay, Lesbian Straight Education Network) promotes and encourages students to remain silent on this day as a show of solidarity for the LGBTQ community and violates the Equal Access Act, during the annual ‘Day of Silence’.

The U.S. ‘Equal Access Act’ defines what is permitted in schools only during ‘non instructional’ time.²

Does your school allow GLSEN Day of Silence or related transgenderism events during any part of the school instruction day? What is the school district policy for parental notification of such a (non-curricular) event? Please provide accurate and complete information in writing, and in a timely manner.

Schools may permit or invite instructor(s) who are neither certified nor qualified for classroom instruction to 'teach' in your child's classroom. Instruction may be in Comprehensive Sexuality Education including gender fluidity, homosexuality, sexual orientation, sexual fetishes, 'avatar' sex, use of sex toys, internet sex, 'pony play' and/or sexual experimentation. This instruction may be 'inserted' in any subject.

What is the school district policy for allowing non-certified (guest speakers, peer educators) in school during instruction time, and how and when are parents/guardians notified when this occurs? Are parents given an Opt- out form for their child if content of this instruction is objectionable? Please provide accurate and complete information in writing, and in a timely manner.



G-Safe (Gay, Straight Alliance for Safe Schools) is a club in the public schools that has proposed replacing all gender pronouns (she, he, her, him) with new gender neutral or gender inclusive pronouns such as "ze, eirself or hir" or "they, them and their(s) as singular, gender inclusive pronouns.

Has your school district approved a policy which permits/mandates the replacement of any or all gender pronouns for transgender staff or for transgender students? If so, please provide the minutes for the meeting at which this policy was adopted. Please explain how pronoun replacement promotes or provides an age appropriate education for all students. What does this kind of socio-political ideology have to do with a positive learning environment for all students? Please provide accurate and complete information in writing, and in a timely manner.

Informed Consent Law ORS 677.097¹⁰ requires all health care providers to give specific information to a patient before that patient can 'consent' to treatment. Three areas of information are required for consent to be given:

- 1. Complete description of treatment**
- 2. Available alternatives**
- 3. Any and all risks of the treatment**

How will the school district and the parents of a child receiving Transgender Conditioning at any level be notified as to whether or not there has been compliance with the Informed Consent Law? Please provide accurate and complete information in writing, and in a timely manner.

The 2015 Oregon Legislature passed Senate Bill 856; “Relating to a child sexual abuse prevention instruction program in public schools, kindergarten through grade 12.”¹¹ Ironically, each of the 10 mandated areas of instruction/training in this bill opens a door to child endangerment. Especially troubling is the inclusion of children as young as 5 yrs. old in a process of being expected to understand, apply and report what may be perceived as child sexual abuse when these children are not developmentally prepared for such responsibility. In fact, this expectation and exposure to information about “safe touch”, “unsafe touch”, “safe secrets”, “role playing”, “how to escape”, and how to “report a sexual abuse situation” could arguably be, in itself, considered child abuse.

Expecting children to “communicate incidents of sexual abuse” is not developmentally appropriate and may traumatize children of any age. A requirement in Senate Bill 856, Section (2) (i) states that instruction shall be “Developmentally appropriate, culturally sensitive and evidence-based for each grade level.” Oregon already has a ‘Mandatory Reporter’ statute which instructs adult school staff on how to recognize and report suspected child abuse—what is the point of adding this kind of instruction for children for whom it is not developmentally appropriate and for whom it may cause mental trauma? OSBA (Oregon School Board Association) Policy and Board Development Director, Peggy Holstedt (pholstedt@osba.org) stated that SB 856 will be implemented under the direction of ODE’s (Oregon Dept. of Education) “Human Sexuality Education”. ‘Oregon Comprehensive Sexuality Education’ is objectionable to many parents who are aware of the curricula which includes explicit sexual content, and SB 856 opens the door to the expansion of this explicit content under the guise of sexual abuse prevention.

As the _____ School District Board of Directors, you have the duty and responsibility to decide what may or may not be allowed within the District’s jurisdiction. Have you asked the ODE to clarify each of the 10 mandates in this law, SB 856? Has the ODE provided you with ‘plans of instruction’ for each of these 10 state mandates for each grade level? Has the ODE explained how each is ‘age appropriate’ and ‘evidence based’? What has been budgeted for the cost of staff time and compensation? How much current student ‘instruction/seat time’ will be displaced by implementing the mandates? Who will be held accountable for the “measurable outcomes” of this program? How will you inform parents that they may review these plans of instruction? What specific “outside agency prevention educators” (Section 3) may be providing instruction on the SB 856 mandates? Is Planned Parenthood one of those ‘outside agencies’? Specifically how will parents be part of this process of instruction? [Section 2(i)]. Have you provided parents with an Opt-out form for their child if they believe this program to be objectionable? Please provide the meeting minutes in which there is any discussion or action on SB 856. Please provide accurate and complete information in writing, and in a timely manner.



Conclusion

School Boards are your elected representatives, and have the right and the responsibility to provide school policy which protects ALL students' privacy and safety. Alliance Defending Freedom has provided such a 'student privacy protection' policy:

The American College of Pediatricians, as well as many psychologists/psychiatrists have concluded that 'Transgender Conditioning' is child abuse.⁴ Schools and/or School Based Health Centers who are treating transgenderism as normal and healthy may be endangering the health, mental health and well-being of these children who are in their care.

Local Control is of utmost importance to ensure that every student has equal access to a free and appropriate education. The education which our children deserve, and which parents, guardians and communities expect, should not be compromised by never-ending chaos and confusion for all students and educators if the Oregon Department of Education 'guidelines' for transgender students are implemented in our schools. Parents should consider submitting a "Request for Accommodation" form to protect their child's bodily privacy rights.¹²

Socio-political activity in the service of highly controversial issues and risky, unhealthy behaviors should not be permitted to disrupt instruction time in school. School boards, administrators and teachers should not allow themselves to be threatened or bullied by the Oregon Department of Education (ODE), the Oregon Health Authority (OHA) or the Oregon School Board Association (OSBA) into this exploitation of **our children's** education. For example, a Clatsop County School Superintendent made the following comment during a February, 2016 school board meeting: "If it impacts even one student's learning, we shouldn't do it!" Interestingly, this was simply regarding the posting of school mascot pictures or symbols on school property, and the State of Oregon mandating that such postings be removed or federal and state funding may be withheld. Compare this issue with the posting of promotional flyers and/or instruction for Transgender Conditioning of our children in their schools. Student learning impact is arguably more significant in the latter. Parents have the right to decide.



Definitions

U.S Code (USC): federal statutes from bills passed by Congress

Code of Federal Regulations (CFR): regulations enacted through rulemaking by federal agencies

Oregon Revised Statutes (ORS): state statutes from bills passed by the legislature

Oregon Administrative Rules (OAR): regulations enacted through rule making by state agencies

References

- 1 Health Evidence Review Committee (HERC). www.oregon.gov/oha/herc/FactSheet/gender-dysphoria.pdf
- 2 Equal Access Act. www.law.cornell.edu/uscode/text/20/4071
- 3 American College of Pediatricians. Letter to Oregon Governor Brown. <http://parentsrightsined.net/perch/resources/5.16.16.oregon-gov-brownamerican-college-of-pediatrician-letter.pdf>
- 4 Dr. Paul McHugh Publication. <http://cnsnews.com/commentary/j-matt-barber/american-college-pediatricians-transgender-conditioning-child-abuse>
- 5 Oregon Department of Education, Deputy Superintendent of Schools, Salam Noor, March 2016, letter to Oregon Superintendents regarding recommendations to schools allowing transgender students to use facilities of their choice. Mr. Noor's letter states: "This is not intended as legal advice." <http://parentsrightsined.net/perch/resources/oregon-dept-of-edtransgender-student-guidance-5-5-16.pdf>
- 6 Oregon School Board Duty and Responsibility. <http://www.oregonlaws.org/ors/332.072>
- 7 Alliance Defending Freedom Letter 'Student Physical Privacy Policy'. www.adfmedia.org/files/studentphysicalprivacypolicy.pdf
- 8 Oregon House Bill 2307 (2015). <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2307/Introduced>
- 9 Title IX 'Myths v. Facts'. http://www.nwlc.org/sites/default/files/pdfs/debunking_myths_november_2010.pdf
- 10 Informed Consent Law ORS 677.097
- 11 Oregon Senate Bill 856 (2015) "Mandating sex abuse recognition and prevention program for K-12 students and adult." <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/SB856>
12. Request for Accommodation form. <http://parentsrightsined.net/perch/resources/201608generic-sd-letter-requesting-accomodationtitle-ix-issue.pdf>

Resources

- Parental Legal Rights (State, Federal, Constitutional). <http://www.parentsrightsined.net/perch/resources/201504even-the-law-recognizes-parents-know-beststatuessb.pdf>
- Walt Heyer Blog. www.waltheyer.com
- Alliance Defending Freedom letter to Missouri School Board. <http://www.adfmedia.org/files/HillsboroLetter.pdf>
- Alliance Defending Freedom 'Student Physical Privacy Policy' www.adfmedia.org/files/studentphysicalprivacypolicy.pdf
- Opt-out forms. www.parentsrightsined.net/tools.php
- Transgender Conditioning is Child Abuse, Publication. www.lifesitenews.com/opinion/transgender-conditioning-is-child-abuse

Oregon Laws and/or Oregon Dept. of Education, Oregon Health Authority Documents/Publications Which **Endanger** the Health and Safety of Children:

Oregon Dept. of Education Deputy Superintendent of Schools, Salam Noor March 2016 letter to Oregon Superintendents regarding recommendations to schools allowing transgender students to use facilities of their choice. (Mr. Noor states in letter, "This is not intended as legal advice."). <http://parentsrightsined.net/perch/resources/oregon-dept-of-edtransgender-student-guidance-5-5-16.pdf>

Oregon House Bill 2307 (2015).
<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2307/Introduced>

Oregon Senate Bill 856 (2015) "Mandating sex abuse recognition and prevention program for K-12 students and adults".
<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/SB856>