

Question: Is the “Parental Rights in Children’s Education Policy” legal?

Answer: Yes, it was written by a reputable legal organization, Alliance Defending Freedom. Rocklin Academy claims that the “Healthy Youth Act” does not allow them to legally pass a policy that allows for an opt out option when controversial issues like gender identity are discussed. This is false. The fact that the law does not mandate schools offer an opt out or parental notification policy does not mean that they are prohibited from doing so.

Example: In August, Rocklin Gateway sent home a permission slip which had to be returned for students to be able to participate in watching the Solar Eclipse. This was neither mandated, nor prohibited, by law.

Question: Does Title IX prohibit this policy from being enacted?

Answer: No.

It has been asserted that the school could have its funding pulled if they enact a policy such as the proposed one because they would be out of compliance with Title IX. Title IX states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Nothing in Title IX talks about literature, including books such as “I am Jazz” and “Red: A Crayon’s Story.” Additionally, nothing in Title IX prohibits schools from accommodating the privacy concerns (when it comes to locker rooms, bathrooms, etc.) of all students, not just a small group.

Question: Can you provide more information on the privacy portion of the proposed policy?

Answer: Yes.

With the passage of AB 1266, students are now allowed to use whichever bathroom, locker room, and dormitory they choose on overnight trips. This means biological males and females could be forced to share these intimate facilities with someone of the opposite sex. The privacy portion of this policy will protect the privacy of all students, not just select.

Question: What about AB 1266?

Answer: AB 1266 has nothing to do with literature, including extracurricular books. AB 1266 also does not mandate sending students to the principal’s office for “misgendering” someone.

Question: What about the privacy law?

Answer: There is no privacy law written as the school is describing. If and when the school cites a specific portion of the law to back up their “privacy” claim, we will address this more in depth. Claiming that they cannot share details of what happened in that classroom and what is being done to ensure it does not happen again because of “privacy” is not acceptable. We call on the school to cite the law that says they cannot share with parents what happens inside their children’s classrooms.

Administration has asserted that they cannot discuss with parents what occurred in the kindergarten class at Rocklin Academy Gateway because of privacy laws. While every student has a right to privacy, when the student, and their family, decided to make their private decision a public discussion within the classroom, the situation was no longer private. Parents have a right to know what is happening in their children’s classes, including books that are read, and discussions that are had.

Question: What about bullying?

Answer: Schools often use “anti-bullying” efforts to have discussions on controversial topics, like gender identity. We agree, bullying, when it occurs, should be dealt with immediately. Dealing with bullying effectively does not include discussing controversial topics without parental notification. Parents should be included in discussions like this, or at least aware of them.