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Details and Statistics

Number of Students in Utah Public Schools: 675,247 Estimated number of Transgender Students: 1,400

2009 Estimates: .15% of Americans identify as transgender Current US Public School Estimates: .7% of students identify as transgender

There is no evidence or current studies suggesting that social intolerance is the root cause for suicidal ideation or other risk factors for Transgender

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for transgender rights have the highest increase in transgender youth and resultant life-risk factors

Despite very clear evidence against Transgender integration ideology, society is still willing to confuse and indoctrinate very influenceable and fragile-minded children in ological falsehoods that will only lead to more experimentation and exploration of the behaviors that are leading to the already antioned grim statistics.

This has evolved to the position now that society claims bigotry and hate if someone isn' willing to give up their right of free speech and their scientifically based and biologically upported gender references.

The Grim Reality

According to national surveys: Transgender Individuals are 9 times more likely to attempt suicide

- 41% report at least 1 attempt (compared to 4.6% in general population) they have supportive family - ~10% report an attempt in the last year (12 times the general US population of .6%) -Ongoing reports also agree that these rates are not due to societal

intolerance but rather increase anxiety and depression rates •45% report Serious Psychological Distress (Although society is quick to correct anyone that suggests they may need access to care)

•54% of transgenders have experienced Intimate partner violence

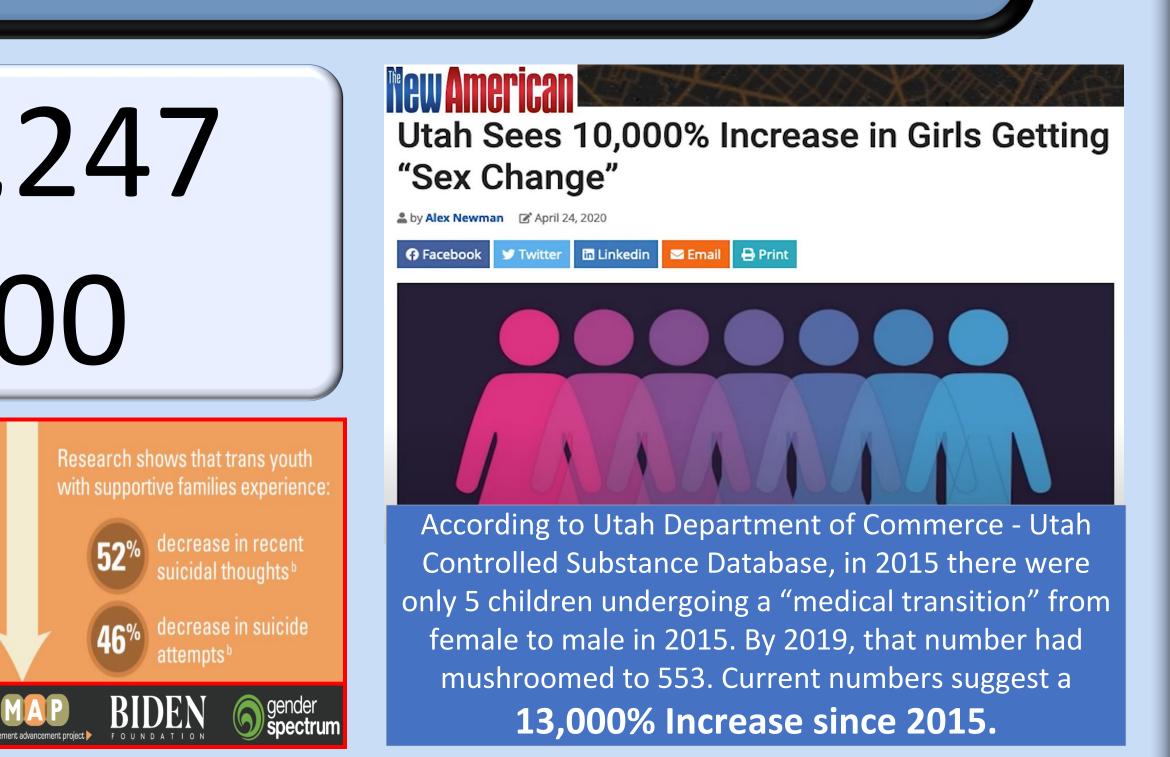
•4 times more likely to live in Extreme Poverty

•4 times the rate of HIV-infection Double the rate of Unemployment

Human Rights Campaign Foundation - Report

 Double the rate of Homelessness Increase likelihood for Substance Abuse

(JM Grant et al,. "Injustice at Every Turn: A Report of the National Transgender Discrimination Survey." Washington, DC: National Center for Transgender Equality and National Gay and Lesbian Task Force; 2011.) ["I don't think this is theoretical; this is our lives": how erasure impacts health care for transgender people., GR Bauer Et al. J Assoc Nurses AIDS Care. 2009 Sep-Oct; 20(5):348-61., PubMed] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5227946/ https://transequality.org/sites/default/files/docs/usts/USTS%20Full%20Report%20-%20FINAL%201.6.17.pdf



A CASE FOR THE PARENTS Studies across the board suggest that the most positive outcomes for transgender individuals is when members. This noticeable decrease is across all calculable risk markers

TRANSGENDER SURVEY

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Access and publicity increase Social Transgenderism Research shows that exposure to new ideas often enough and long enough, will eventually take strong root. A 2017 study by Lisa Littman published in the Public Library of Science (PLOS One) showed that the increasing numbers of Transgender Individuals are correlated to access to transgender information, overuse of YouTube and social media, as well as their social network or friends identifying as transgender.

1 in 5 youth that suddenly questioned their gender identities had one or more friends who came out as transgender in the same timeframe.

Stats on Bullying According to a January 2021 study 139,829 students, although Transgender youth are more likely to be bullied than gender conforming students, they are also more likely to participate in bullying than they are to be Involvement Among Finnish Adolescents, Frontiers in Psychology, 08

Current Efforts in Utah not only fail to provide the necessary resources and support to Transgender Students but also fail to address the situation from the needs of the collective whole

The Current Transgender Guidance Document fails to adequately prepare Schools for the significant future ramifications of Gender Policy.

This current direction is not from the stand point of what is best for the student, it is being addressed according to political agenda's, activist groups, and School Liability / Protection

By trying to appease everyone, they are actually satisfying no one

Definition of Gender (Webster): The behavioral, cultural, or psychological traits typically associated Since at least the 15th Century, Sex and Gender were synonymous terms denoting the BIOLOGICAL and GENETIC FORMS of a Species; Male and Femal Not until the mid 20th Century did SEX and GENDER "acquire" new uses to include behavioral, cultural, or psychological traits. By the end of the 20th Century, Gender also compounded with words Identity and Expression

BASIC NEEDS

respect, individuality

Family, Unity, Connection, Friendship

SAFETY AND SECURITY

PHYSIOLOGICAL NEEDS

Breath, food, water, shelter, clothing, sleep

Legal Landscape

Federal Law: No Current Laws exist governing transgender Policy

Civil Rights Act (CRA) Title VII (42 U.S.C.A. § 2000e): "an unlawful employment practice is

Protection in the Workplace irrent Amendment to the Civil Rights act "H.R. 5 - Equality Act" was passed U.S.C. Sec 1681(a)), Education Amendments of 1972: **Department of Education – Office of** Civil Rights (OCR) Guides the Department in processing complaints and **Protection in Educational**

the outcome in any particular case or set of facts." https:// **Environments**

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The Pronoun Debate-No Precedents

To date there have been no discrimination cases won under Title IX or Title VII based solely off pronoun usage.

The only relevant cases were 2 teachers who refused pronoun usage in Virginia (Not impelled Personal Pronoun Usage. The Virginia Supreme Court upheld a lower court ruling to have him reinstated. (Other Loudoun County Teachers have joined Mr. Cross as Plaintiffs)

The Demand for Pronoun Usage goes against 1st amendment rights, cultural norms, speech pathology, and religious freedom From the DOE-OCR: "By itself, refusing to use transgender

students' preferred pronouns is not a violation of Title IX

and would not trigger a loss of funding or other sanctions.

Peter Vlaming, also of VA, who was fired for similar reasons in December of 2018 is still in Court of Appeals

Transgender individuals have been on the grounds of Discrimination, Harassments, or Physical Harm, with the exception of one case of privacy evasion (Wyatt v. Kilgore Indep. Sch. Dist)

Gavin Grimm v. Gloucester County Public School Board – Discrimination for being forced to use the bathroom of his Biological Sex or private bathroom. Retroactive name change discrimination Whitaker v. Kenosha Unified School District – Discrimination finding due to mandated colored bracelets for Trans Students

Prescott v. Rady Children's Hospital San Diego – **Discrimination** finding for mistreatment at a hospital Wyatt v. Kilgore Independent School District - Privacy Evasion Claim awarded by Summary Judgement THE BATHROOM AS A Other Current Legal Battlefields Across the Nation

All current legal judgements in favor of

Record Changes - 1 Relevant Case from the State of Virginia (G.G. v. Gloucester CPCS Overnight Trips – No Relevant Cases **Demand for Personal Pronoun Usage – No Relevant Cases**

of School Principal Ben Wolf. When this was disproven at all levels, the Plaintiff changes the claim to be a matter of Privacy Evasion. This too

with). This however was a "Summary Judgement Statement" that only led to further investigation by the court on the matter. Plaintiff

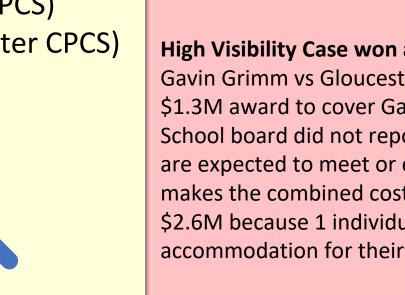
cannot release information protected by privacy laws. The Plaintiff use this case to claim that her right to privacy in regards to her sexual

prosecutor cites In re Crawford, 194 F.3d 954, 959 (9th Cir. 1999) in regards to informational privacy.

Summary of the case and relevant references

orientation were violated. Quite the large corollary jump.

Even still the court ruled against the claim and no award or judgement was made



WEAPON FOR EQUALITY High Visibility Case won at Circuit Court Level \$1.3M award to cover Gavin's Legal fees re expected to meet or exceed \$1.3M which makes the combined cost of this ordeal in excess of 2.6M because 1 individual demanded special ommodation for their personal demand

https://www.aclu.org/cases/grimm-v-gloucester-county-school-board

Virginia Schools Rape Culture Crisis

A male student in Loudon District, 324 F.3d 1130, 1137-38 (9th Cir. 2003); see Nabozny v. Podlesny, 92 F.3d 446, 453-55 (7th Cir. 1996)" - Protection from harassi County School District posing as a transgender girl wearing a skirt, rape a girl in the girl's bathroom.

BIDEN

laintiffs are entitled to neither compensatory damages nor declaratory of

Healthcare Laws and Policies

While waiting for trial, the boy was transferred to another school where he molested another girl

MISINFORMATION and MISREPRESENTATION Currently, many organizations are trying to muddy the water with opinions instead of facts, and lies instead of laws. This spectrum is heavily contested by Political Agendas, Activist Groups, Statistical Misrepresentation, bad Lawyership, and out-right misrepresentation of the law. Equality Florida is particularly bad at citing and referencing inaccurate information They claim that the Case, Ngon v. Wolf solidifies "student rights to privacy with regards to sexual orientation which falls under the broader right to informational privacy." Actual Finding: Nguon failed to establish her constitutional right to Equal Protection and received no judgement 8 Code. Plaintiffs are entitled to neither compensatory damages nor declaratory or Equality Florida tries to make a case that Transgender Orientation Information is the right of the student only, not classmates, teachers, or even their parents. They cite a Study that 53% of Transgenders experiencing homelessness are due to family rejection. This was an agency generated report with no need to quantify or verify your response. The total Sample Size was 183 homeless youth of which, 83 of were LGBTQ, and 8 were transgender This is a completely misleading study that is being used by thousands of Major quantifier left out of all Number of LGTBQ Youth (Not

Definition of a Man: Adult male Human Definition of Male: of or denoting the sex that produces small, typically motile gametes, especially spermatozoa, with which a female may be fertilized or inseminated to produce offspring and possessing both an X and Y (Generally possessing male genitals)

DEVELOPMENTAL NEEDS Education

Transgender Defined:

The definition of Transgender has changed drastically since it's original genesis in 1965 and occurs in many varying degrees and extents. It ranges from thoughts and feelings of gender non-conformance, pharmaceutical interventions, to a strong desires to need to anatomically change one's body.

American Psychiatric Association Definition: a person whose sex assigned at birth (i.e. the sex assigned by a physician at birth, usually based on external genitalia) does not match their gender identity (i.e., one's psychological sense of their gender) | A person experiencing Gender Dysphoria - psychological distress that results from an gender incongruence Mayo Clinic Definition: an umbrella term used to capture the spectrum of gender identity and gender-expression diversity Diagnostic and Statistic Manual of Mental Disorders (DSM-5): Only addresses symptoms of gender non-congruence for Adults and Teenagers NCTE Definition: individuals whose gender identity is different from the gender they were thought to be at birth

Biden Foundation: Those who know themselves to be one gender, but who were labeled a different gender at birth

Advocacy Groups

National Center for Transgender Equality (NCTE) | Mission: change policies and society to increase understanding and acceptance of transgender people. Gender Justice League | Advocates for transgender legal, political, and medical rights International Foundation for Gender Education | Non-profit advocacy for overcoming intolerance brought on by widespread ignorance **Transgender Law Center** Mission: change law, policy, and attitudes so that anyone can live according to their preferred gender identity or expression

Even Institutions and advocacy groups can't agree on the definition of Transgender. Is it the mere fluid thought of biology opposing ideology or does it suggest that physical intervention needs to be made to actually change anatomy to match ideology? When not even the Transgender Communities nor Medical Experts can answer this with solidarity, why are politicians and Education Administrators trying to

Equality Utah Lobbying Organization and the state's largest LGBTQ activist group. Mission: to protect the rights of LGBTQ Utahns and their families

Inequality through forced Equity

Transgender Accommodation

Public Administrators are suggesting a complete re-write of how pubic institutions and schools operate and reboot of public facilities. The cost and time would be astronomical

What that means to Utah Families, Students, and Communities

There are currently 41 School Districts and Multiple Charters in Utah (~587 Schools) The moment the Transgender Guidance Document is published (as is), there will be an immediate demand for accommodation for the approximate 97% of the other students in public school (~650,000 students). his will lead to a complete retrofit of current schools to create single stall bathrooms, locke rooms, and other public facilities. According to Oregon's estimates, the cost will be between \$450,000-600,000 per school district. **Total Cost to Utah School Systems and the**

Tax Payer: \$35,000,000

Parents for Privacy v Dallas School District Np. 2
Excerpt on cost to retro fit instruction, the change to the very nature of School Sports, School trips, and a School Culture that has been around for over 100 years. This doesn't account for future ramifications of such a decision. Are we going to install Kitty Litter Boxes and Dog Runs when the "Furies" demand bathroom accommodation?

587/10*(\$500,000*1.2[market difference])= \$35,000,000 gender activists, Utah Politicians, and Education strators are trying to LIMIT PARENTAL RIGHTS pite clear evidence that strong parental bonds are the best resource a Transgender Youth can have.

Other Topics of interest across the country:

Utah Gender Guidance Document The Politicizing of Public Utah School Boards are adopting a

"Cover Their Own Assets Approach." Their Guidance Document does not address the real situation. They are rushing to

present guidance on Internationally

Contest Topics with all the wrong solutions We need to focus on giving the Transgender Community what they need, not what politics and activist say they want.

> They don't need special bathroom privileges or personal pronoun accommodation...

They need resources, Supportive Families, and Supportive Communities

Bathrooms

Transgender Activist across

the country

The bathroom, a place where a majority of battleground for Politicians, Courts, and

September 2015-2018, Dallas High School, Dallas School District, Oregon (Parents for Privacy v. Dallas School District No. 2)

A Biological Female who remained biologically female but identified as a male (Transgender male with female genitals), sought odation to be able to use all public facilities that matched their "gender" identity." Dallas High School created a Transgender Policy to support requests from Transgender Students as well as a **Projection Plan Policy** that required that a PE teacher / Coach be required to be in eyesight of the transgender male whenever they were in the male locker room.

The district court upheld the judgment that, "...there is no Fourteenth Amendment fundamental privacy right to avoid all risk of intimate exposure to or by a transgender person who was assigned the opposite biological sex at birth."

TRANSLATION: If a Biological Female feels comfortable exposing her breasts and vagina, dressing, showering, and other locker room activities, the Biological Males in said locker room may not complain or comment no matter the level of distress, anxiety, or even hormonal drive this may cause. Their only remedy is to request personal accommodation for themselves, which we can't do for the Transgender Male. Furthermore, a male PE instructor or Coach must maintain eye contact with the transgender male's female genitals in order to adequately protect, said Transgender

Since this incident, the District now plans to spend between \$200,000 and

WHAT ARE THE TRUE NEEDS OF A TRANSGENDER STUDENT?

Policy makers claim that accommodation through conformance will solve the instability and grim statistics, but there is no such evidence, even in states where this has been unfolding for over 10 years.

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"THEY NEED ACCESS TO SUPPORTIVE ADULTS AND

A Social Experiment on the Children of America

effects in vour children: - 9x increase in suicide attempts. - double the likelihood of homelessness and unemployment. life-long medical care.

and HIV infection by 4 times. There is absolutely nothing that suggests this experiment will result in actionable or useful information, nor help others in any proven way.

The results of this social experiment may lead to the following negative side

Participation may also lead to conditions that increase both extreme poverty

What if it was put it this way?

'Hello parents of America. We are going to run a social experiment on your Children and you have no say on the perimeters. If you object, School Boards, Associations, the FBI, local Attorney Generals, the US DOJ, and US AG will label you as Domestic Terrorists and trespass you or charge you with harassment.

- the need for counseling, therapy, potentially expensive drug therapies, and

According to Utah Code Sec. 62A-4a-201 "It is the public policy of the state that Parents retain the fundamental right and duty to exercise primary control over the care, supervision, upbringing, and education of their children." There HAS TO BE Parental Involvement and Healthcare Professional Advice for optimal outcomes in the Transgender Spectrum

Utah High School Activities Association has taken a

Utah is a Parental Rights State

urrently School Districts throughout Utah are passing unilateral Transgender policies and other are demanding that Utah State Board of Education publish guidance Utah is also trying to define terms that are ever changings and that do not have definitive conclusions from Healthcare providers nor advocacy

There is an ever increasing bullying issue that is conflating the situation with transgender students though there is no evidence that Transgender's are being oppressed due to their non-Though Utah has plentiful resources and

support agencies to help Transgender Youth, none are mentioned in the current Guidance Document nor being leveraged to their fullest extent.

Case Law that rejects the view that Sex Discrimination Laws protect Transgender People

Only a few recent cases reject the view that sex discrimination laws protect transgender people sex discrimination under Title VII but that such discrimination was not covered in all cases).

Texas v. United States, 201 F. Supp. 3d 810 (N.D. Tex. Aug. 21, 2016) (holding that Title IX does not prohibit discrimination based on gender identity or transgender status). ttsburgh, 97 F. Supp. 3d 657 (W.D. Pa. Mar. 31, 2015) (holding that Title IX does not prohibit discrimination based on

pretty firm stance on the handling of the sensitive situation involving Transgender Athletes. In order for a transgender to participate in activates that do not align with their biological sex, they must submitted the

cording to the National Center for Transgender Equality. "Th rrent Measure of Transgender Identity include:

Etsitty v. Utah Transit Auth., 502 F.3d 1215 (10th Cir. 2007) (holding that discrimination against transgender workers may sometimes constitu Wittmer v. Phillips 66 Co., 915 F. 3d 328 (5th Cir. 2019) (suggesting only in non-binding dicta that Title VII does not prohibit anti-transgende

gender identity or transgender status). Subsequently rejected by Evancho v. Pine-Richland Sch. Dist., 237 F. Supp. 3d 267 (W.D. Pa. Feb. 27, 2017)

https://transequality.org/federal-case-law-on-transgender-people-and-discrimination

There is currently several bills in legislation concerning Transgender Rights.

Organizations like **Equality Utah's** Transgender Advisory Council, Lead by Sue Robbins, a Transgender Female, heavily oppose bills that limit the rights of transgender's. Taking the opposing view, however, Erin Brewer, PhD in Education, shares

the experience of a Caring School Psychologist who helped Erin affirm her gender at a young age when after a traumatic experience, she felt like she wanted to be a boy. Erin is now the proud mother of 3, something that would never have been possible ha she transitioned as a teenager.

State Medicaid Policy Related to Coverage for Transgender People Transgender Inclusive Health Benefits for State Employees No Current Laws requiring Healthcare coverage for Treatment masculinizing and femininizing drugs, hormones, extensive surgery Law Exists? Tally Law Exists? Ta 0.5/1 ondiscrimination Laws and Policies Covering LGBTQ Student 0/1 tate Curricular Standards Required to Be LGBTQ-Inclusiv Current Utah Laws protect Student's Sexual Orientation and Gender Identity for Anti-No Utah nondiscrimination laws or policy that protect Transgender students No Current laws in Utah that require LGBTQ-inclusive curriculum 1/1 1/1 0/1 8 0/

0/1 0/1

0.5/0.5

• And Lending because of the large liability with much higher increase in risks factors

Public Accommodations and Credit/Lending have also not passed non-discrimination laws

crimination Policies for State Employees

This is not a topic that can or should be lobbied at the political level

State of Affairs - Utah

Current Efforts — Proposed Solutions



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References:

ttps://transequality.org/sites/default/files/docs/usts/USTSUTStateReport(1017).pdf

https://le.utah.gov/interim/2021/pdf/00002496.pdf

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Human Rights Campaign Foundation - Report

Research shows that trans youth with supportive families experience: 52% decrease in recent suicidal thoughts b decrease in suicide attempts b MAP BIDEN gender spectrum

Utah Sees 10,000% Increase in Girls Getting "Sex Change"

Δ by Alex Newman

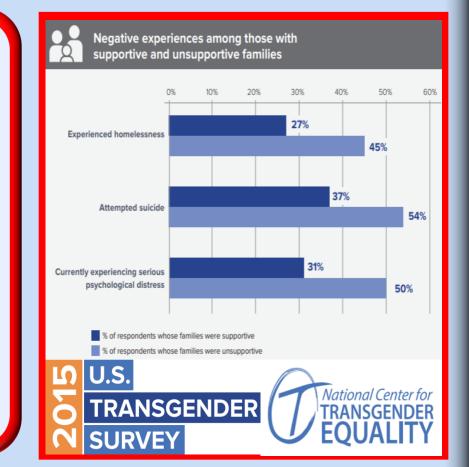
April 24, 2020

According to Utah Department of Commerce - Utah Controlled Substance Database, in 2015 there were only 5 children undergoing a "medical transition" from

Controlled Substance Database, in 2015 there were only 5 children undergoing a "medical transition" from female to male in 2015. By 2019, that number had mushroomed to 553. Current numbers suggest a 13,000% Increase since 2015.

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[Transgender Identity Is Associated With Bullying Involvement Among Finnish Adolescents, Frontiers in

Psychology, 08 January 2021]

Law is only created through legislative process by Legislative and Executive bodies

Legal Landscape

The Courts Interpret Law, they don't create law, nor do other government Agencies or Departments

Federal Law: No Current Laws exist governing transgender Policy

HB 5: if passed, would amend the CRA 1965 to include gender identity and sexual orientation as protected classes

Civil Rights Act (CRA)

Title VII (42 U.S.C.A. § 2000e): "an unlawful employment practice is established when the complaining party demonstrates that race, color, religion, sex, or national origin was a motivating factor for any employment practice."

Protection in the Workplace

Title IX (U.S.C. Sec 1681(a)), Education Amendments of 1972: "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."

Protection in Educational Environments

Applies to local and state educational agencies, and other institutions that receive federal financial assistance from the Department.

The only corollary relation between Title VII and Title IX exists when a student is also an employee of funded institution. (e.g. a medical student in residency at a university hospital who is harassed by a residency supervisor while in the hospital)

:://scholarship.shu.edu/cgi/ content.cgi?article=1184&context=circuit_review#:~:text=Title%20VII%20and%20Title%20IX%20are%20laws%20used%20to%20combat,covers cational%20activities%20and%20institutions.

Common Law / Case Law / Precedents:

judicial decisions from previous cases. The use of detailed facts of a case that have been resolved by courts or similar tribunals. These judicial interpretations are distinguished from statutory law which are codes enacted by legislative bodies.

Sponsor: Rep. Cicilline, David N. [D-RI-1] (Introduced 02/18/2021)

Committees: House - Judiciary; Education and Labor; Financial Services; Oversight and Reform; House Administration

Latest Action: Senate - 03/17/2021 Committee on the Judiciary. Hearings held. (All Actions)

Roll Call Votes: There have been 2 roll call votes

Tracker:

Current Amendment to the Civil Rights act "H.R. 5 - Equality Act" was passed by the House (2/25/2021) and **currently sits with the Senate.**https://www.congress.gov/bill/117th-congress/house-bill/5

<u>Department of Education – Office of</u> Civil Rights (OCR)

Guides the Department in processing complaints and conducting investigations, but it "does not itself determine the outcome in any particular case or set of facts." https://www2.ed.gov/about/offices/list/ocr/docs/202106-titleix-noi.pdf

The US Department of Education's Office for Civil Rights issued a Notice of Interpretation explaining that they will enforce Title IX's sex-based discrimination to include sexual orientation and gender identity (6/16/2021) based off of the Title VII related Supreme Court Decision in **Bostock v.**Clayton County in which the supreme court ruled that you can't discriminate against gender identity without also discriminating against sex IN THE WORK PLACE.

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All current legal judgements in favor of Transgender individuals have been on the grounds of <u>Discrimination</u>, <u>Harassments</u>, or <u>Physical Harm</u>, with the exception of one case of privacy evasion

(Wyatt v. Kilgore Indep. Sch. Dist – Findings have been heavily contested)

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Other Current Legal Battlefields Across the Nation

Bathrooms – 1 Relevant Case from the State of Virginia (G.G. v. Gloucester CPCS) **Record Changes** – 1 Relevant Case from the State of Virginia (G.G. v. Gloucester CPCS) **Locker rooms** – No Relevant Cases

Overnight Trips – No Relevant Cases

Demand for Personal Pronoun Usage – No Relevant Cases

WEAPON FOR EQUALITY High Visibility Case won at Circuit Court Level Gavin Grimm vs Gloucester County School Board

High Visibility Case won at Circuit Court Level
Gavin Grimm vs Gloucester County School Board
\$1.3M award to cover Gavin's Legal fees
School board did not report their cost though they
are expected to meet or exceed \$1.3M which
makes the combined cost of this ordeal in excess of
\$2.6M because 1 individual demanded special
accommodation for their personal demand

THE BATHROOM AS A

https://www.npr.org/2021/08/27/1031640545/school-board-transgender-bathroom-policy-gavin-grimm

s://www.aclu.org/cases/grimm-v-gloucester-county-school-boar

There has never been a time in English Common Law History where the Government has compelled specific speech.

Utah Assistant Attorney General of Education continues to make claims that the DOE-OCR mandates Personal Pro-noun usage.

Reference for the claim is: DOE OCR Resource
Sheet published on June 2021

The "Examples" referenced in this sheet are specifically Discrimination and Harassment cases. NOT PERSONAL PRONOUN CASES.

To Date, not a single Title IX case has been fought and won over Personal Pronoun Usage

First Amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances

The Pronoun Debate-No Precedents

To date there have been no discrimination cases won under Title IX or Title VII based solely off pronoun usage.

The only relevant cases were 2 teachers who refused pronoun usage in Virginia (Not Discrimination Cases)

<u>Tanner Cross</u>, Teacher at Leesburg Elementary-Loudon County School District, was fired for speaking up against compelled Personal Pronoun Usage. The Virginia Supreme Court upheld a lower court ruling to have him reinstated. (2 Other Loudoun County Teachers have joined Mr. Cross as Plaintiffs)

Peter Vlaming, also of VA, who was fired for similar reasons in December of 2018 is still in Court of Appeals

The Demand for Pronoun Usage goes against 1st amendment rights, cultural norms, speech pathology, and religious freedom

From the DOE-OCR: "By itself, refusing to use transgender students' preferred pronouns is not a violation of Title IX and would not trigger a loss of funding or other sanctions."

(Reference to this Guidance Document: https://www2.ed.gov/about/offices/list/ocr/correspondence/congress/20200309-title-ix-and-use-of-preferred-pronouns.pdf, Paragraph3.

Often Referenced Transgender Rights Case that originally was awarded summary judgement but was overturned in higher courts yet continues to be published on websites and guidance documents

Summary of the case and relevant references:

The Plaintiff Charlene (and the Gay Straight Alliance Network), through legal counsel, claims harassment and impartial treatment by the hands of School Principal Ben Wolf. When this was disproven at all levels, the Plaintiff changes the claim to be a matter of Privacy Evasion. This too was ruled against.

What's even more ironic is the level of inaccuracies published in the Nguon v. Wolf Case File. Noted "Applicable Law" section III. A. states the a "Bedrock" case finding that "sexual orientation represents a protected class for equal protection purposes, Flores v. Morgan Hill Unified Schoo District, 324 F.3d 1130, 1137-38 (9th Cir. 2003); see Nabozny v. Podlesny, 92 F.3d 446, 453-55 (7th Cir. 1996)" - Protection from harassment and harm

The findings of Flores v. Morgan Hill say nothing of sexual rights being a protected class because it is not one. It wasn't in 2000, or 2006 and it isn't now. This Prosecuting team (Nguon v. Wolf) completely misrepresented the findings of that case and misconstrued it's applicability. That case was then used to try and manipulate the base precedents for a 1st Amendment Violation Claim, discrimination and mistreatment lawsuit in their Nguon v. Wolf case only to still fail at the District Court Level.

This is just one example of lawyer's stretching the truth and creating unlawful precedents which are then being cited as Law. The lousy Lawyership continues

The next claim of violation of Privacy Rights was also based on a non-corollary case. Many sources state that the court ruled the plaintiff had a constitutionally protected privacy right with respect to disclosure of her sexual orientation (A statement littered with inaccuracies to begin with). This however was a "Summary Judgement Statement" that only led to further investigation by the court on the matter. Plaintiff prosecutor cites In re Crawford, 194 F.3d 954, 959 (9th Cir. 1999) in regards to informational privacy.

This case ruling had to do with the unnecessary release of a social security number in a bankruptcy filing case finding that Government entities cannot release information protected by privacy laws. The Plaintiff use this case to claim that her right to privacy in regards to her sexual orientation were violated. Quite the large corollary jump.

1 VI. Conclusion and Afterword.

Even still the court ruled against the claim and no award or judgement was made.

The Court finds that Charlene has failed to establish that her Constitutional rights under the Equal Protection Clause or under the First Amendment were violated by the School Defendants. The Court finds that Charlene's privacy rights under the California Constitution were not violated, and that in any event, Wolf was entitled to discretionary immunity under Section 820.2 of the California Civil Code. Plaintiffs are entitled to neither compensatory damages nor declaratory or injunctive relief.

Virginia Schools Rape Culture Crisis

A male student in Loudon County School District posing as a transgender girl wearing a skirt, rape a girl in the girl's bathroom.

While waiting for trial, the boy was transferred to another school where he molested another girl

THERE IS CAUSE FOR CONCERN

NCTE's
Expectation
for Speech

A FEW
"SHORT"
GUIDELINES

NCTE: understandings of and language around gender and its representation are continually changing.
Likewise, the current statement is not final or definitive, but a part of an ongoing, dynamic process; it is an invitation to educators, indeed all of us, to keep reflecting on, critiquing, and adjusting our practices to make them more affirming, compassionate, and humanizing hat dynamism is reflected in the evolution of NCTE's position statements on gender and language through

CTE Statement on ender Language Usage using the discourse of the control of the c

As the editors of the recent editions of the Chiago Manual of Syle (2017), the Associated Pre Sylebook (2018), and other yeap using a first principle of the size group old to use in which the principle of the size group old to use in which the control of the size of the

basic student information sheet a student can fill out confidentially. "What name would you use in referring to you in case," and "What promous would you kee not but sen referring it open in deep "and "What promous would you kee not but sen referring it open in deep "and the promous would you kee not but sen referring it can be a state of the state of th

colleagues on this are and active, ongoing language shift.

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"Gender Ponounal and the Singular They." The Purdue Content Writing als (OWL).
https://owl.purdue.edu/wolk/general_writing/gammalry/ponounal/
gendered_pronouns_and_singular play-html.

The OWL, to which many teachers order their students for guidelines on writing_grammary and promote processing the processing and processing the processing and proce

2015. http://doi.org/10.2725/5/ender-countary-promount/.
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Recourses for Addressing Gender Diversity with Studients.
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measure student progress toward essential intervey gods.

Tempel, Melaiss Bollow. "It's Or to be rehiber." Rethining Schools, vol. 26, no. 1, Fall 2011, https://www.rethiningschools.com/sir/disc/fiss-ok-to-be-neither-teaching-thas-supports-gender-vickindere.

This article shares one teacher's story of supporting a gender variant student and offers suggestion catalog to early-de-mentalry aged disident about gender variance and stereotypes.

Abocusy Organizations

Gender Spectrum Inttp://www.genderspectrum.org/resources/education-2/#more-424

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Gender Spectrum Inttp://www.genderspectrum.org/resources/education-2/#more-424

Gender Spectrum offers educators and school communities a wide variety of professional develops, including imaginage guides, a gender inclusive schools tools, and a sample gender support of for administrators working to support genief of were students.

There Student Cataloma Resources in Harvy/www.th. arstudents.org/about-control about-cest students.

Transparent USA https://bransparentsus.org/resources/educational-environment-trans-and-gender-concorderming-students-through-abocusy-at-de-more-ment-"Website include links to many recourse for students and those who support students.

Transparent USA https://bransparentsus.org/resources/educational-environment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-website-include-links-to-a-wide-vironment-

Inequality through forced Equity

Transgender Accommodation

Public Administrators are suggesting a complete re-write of how pubic institutions and schools operate and reboot of public facilities. The cost and time would be astronomical

What that means to Utah Families, Students, and Communities

There are currently 41 School Districts and Multiple Charters in Utah (~587 Schools)

The moment the Transgender Guidance Document is published (as is), there will be an immediate demand for accommodation for the approximate 97% of the other students in public school (~650,000 students).

This will lead to a complete retrofit of current schools to create single stall bathrooms, locker rooms, and other public facilities. According to Oregon's estimates, the cost will be between \$450,000-600,000 per school district.

Total Cost to Utah School Systems and the Tax Payer: \$35,000,000

Also for consideration is the time it will take to complete the upgrades, disturbances to class instruction, the change to the very nature of School Sports, School trips, and a School Culture that has been around for over 100 years.

This doesn't account for future ramifications of such a decision. Are we going to install Kitty Litter Boxes and Dog Runs when the "Furies" demand bathroom accommodation?

BCA Math: Dallas District estimated \$500,000 to retrofit 10 schools. Utah has approx. 587 Schools and a higher current 587/10*(\$500,000*1.2[market difference])= \$35,000,000

Transgender activists, Utah Politicians, and Education Administrators are trying to **LIMIT PARENTAL RIGHTS** Despite clear evidence that strong parental bonds are the best resource a Transgender Youth can have.

child or the adult decides to "assign" some gender preference. The concept of the "anti-gender" is professing that children are born without

Gender Neutral Families are raising their Children as a 'Theyby' | Good Morning Britain https://m.youtube.com/watch?v=S1pW6r9kjiw

Utah Gender Guidance Document

Utah School Boards are adopting a "Cover Their Own Assets Approach."

Their Guidance Document does not address the real situation. They are rushing to present guidance on Nationally Contested Topics with all the wrong solutions

We need to focus on giving the **Transgender Community what they** need, not what politics and activist say they want.

They don't need special bathroom privileges or personal pronoun accommodation...

They need resources, Supportive Families, and Supportive Communities

The Politicizing of Public Bathrooms

The bathroom, a place where a majority of users urinate and defecate, is now the battleground for Politicians, Courts, and School Boards.

Recently Gavin Grimm was awarded \$1.3 in legal fee reclamation because he wanted to use a bathroom that did not match his biological sex.

September 2015-2018, Dallas High School, Dallas School District, Oregon (Parents for Privacy v. Dallas School District No. 2)

A Biological Female who remained biologically female but identified as a male (Transgender male with female genitals), sought accommodation to be able to use all public facilities that matched their "gender identity." Dallas High School created a Transgender Policy to support requests from Transgender Students as well as a Projection Plan Policy that required that a PE teacher / Coach be required to be in eyesight of the transgender male whenever they were in the male locker room.

The district court upheld the judgment that, "...there is no Fourteenth Amendment fundamental privacy right to avoid all risk of intimate exposure to or by a transgender person who was assigned the opposite biological sex at birth."

TRANSLATION: If a Biological Female feels comfortable exposing her breasts and vagina, dressing, showering, and other locker room activities, the Biological Males in said locker room may not complain or comment no matter the level of distress, anxiety, or even hormonal drive this may cause. Their only remedy is to request personal accommodation for themselves, which we can't do for the Transgender Male. Furthermore, a male PE instructor or Coach must maintain eye contact with the transgender male's female genitals in order to adequately protect, said Transgender Male.

Since this incident, the District now plans to spend between \$200,000 and \$500,000 upgrading the schools bathrooms and locker rooms to better accommodate Transgender Students.

http://cdn.ca9.uscourts.gov/datastore/opinions/2020/02/12/18-35708.pdf

Current Efforts — Proposed Solutions

Utah is a Parental Rights State

According to Utah Code Sec. 62A-4a-201

"It is the public policy of the state that **Parents retain the fundamental right and duty** to exercise primary control over the care, supervision, upbringing, and education of their children."

There HAS TO BE Parental Involvement and Healthcare Professional Advice for optimal outcomes in the Transgender Spectrum

Currently School Districts throughout Utah are passing unilateral Transgender policies and other are demanding that Utah State Board of Education publish guidance

Utah is also trying to define terms that are ever changings and that do not have definitive conclusions from Healthcare providers nor advocacy groups.

There is an ever increasing bullying issue that is conflating the situation with transgender students though there is no evidence that Transgender's are being oppressed due to their non-conformance.

Though Utah has plentiful resources and support agencies to help Transgender Youth, none are mentioned in the current Guidance Document nor being leveraged to their fullest extent.

Utah High School Activities Association has taken a

pretty firm stance on the handling of the sensitive situation involving Transgender Athletes.

In order for a transgender to participate in activates that do not align with their biological sex, they must submitted the following:

a. A complete list of all the student's prescribed, non-prescribed or over the counter, treatments of medications;

b. Written **verification from an appropriate health-care professional** (doctor, psychiatrist, or psychologist) of the student's consistent gender identification and expression; and

c. Any **other pertinent documentation or information** which the student or parent(s)/legal guardian(s) appointed by a court of competent jurisdiction believe relevant and appropriate.

(Pg 27, https://uhsaa.org/Publications/Handbook/Handbook.pd

Undefinable Definitions

According to the National Center for Transgender Equality. "This situation is constantly evolving... not yet fully understood."

<u>Current Measure of Transgender Identity include:</u>

- Sincerely held belief
- Continuously asserted belief
- Consistent Gender Identification and Expression
- Persistent, Consistent, and Insistent Gender Identification and Expression

Case Law that rejects the view that Sex Discrimination Laws protect Transgender People

Only a few recent cases reject the view that sex discrimination laws protect transgender people

Etsitty v. Utah Transit Auth., 502 F.3d 1215 (10th Cir. 2007) (holding that discrimination against transgender workers may sometimes constitute sex discrimination under Title VII but that such discrimination was not covered in all cases).

Wittmer v. Phillips 66 Co., 915 F. 3d 328 (5th Cir. 2019) (suggesting only in non-binding dicta that Title VII does not prohibit anti-transgender discrimination).

Texas v. United States, 201 F. Supp. 3d 810 (N.D. Tex. Aug. 21, 2016) (holding that Title IX does not prohibit discrimination based on gender identity or transgender status).

Johnston v. Univ. of Pittsburgh, 97 F. Supp. 3d 657 (W.D. Pa. Mar. 31, 2015) (holding that Title IX does not prohibit discrimination based on gender identity or transgender status). Subsequently rejected by Evancho v. Pine-Richland Sch. Dist., 237 F. Supp. 3d 267 (W.D. Pa. Feb. 27, 2017). https://transequality.org/federal-case-law-on-transgender-people-and-discrimination

There is currently several bills in legislation concerning Transgender Rights.

Organizations like **Equality Utah's Transgender Advisory Council**, Lead by Sue Robbins, a Transgender Female, heavily oppose bills that limit the rights of transgender's.

Taking the opposing view, however, Erin Brewer, PhD in Education, shares the experience of a Caring School Psychologist who helped Erin affirm her gender at a young age when after a traumatic experience, she felt like she wanted to be a boy. Erin is now the proud mother of 3, something that would never have been possible had she transitioned as a teenager.

https://kjzz.com/news/state-mulls-recommendations-for-transgender-children utah-schools

Healthcare Laws and Policies	Sexual Orientation		Gender Identity	
	Law Exists?	Tally	Law Exists?	Tally
Private Health Insurance Nondiscrimination Laws	×	0/1	×	0/1
Negative Law: Ban on Best Practice Medical Care for Transgender Youth	_	-	No Negative Law	0/-1
Health Insurance Providers Banned from Excluding Coverage for Transgender- Specific Care	_		8	0/1
State Medicaid Policy Related to Coverage for Transgender People	_	ı	×	
Transgender Inclusive Health Benefits for State Employees	_	-	×	C

No Current Laws requiring Healthcare coverage for Treatment

<u>Transgender Treatment</u>: behavioral health therapy, speech therapy, with puberty blockers, masculinizing and femininizing drugs, hormones, extensive surgery

Treatment is very Costly: On average \$20,000-50,000 for affirmation surgeries, or more.

LGBTQ Youth Laws and Policies	Sexual Orientation		Gender Identity	
	Law Exists?	Tally	Law Exists?	Tally
Nondiscrimination Laws and Policies Covering LGBTQ Students		0.5/1	*	0/1
Anti-Bullying Laws and Policies Covering LGBTQ Students	()	0.5/1		
State Curricular Standards Required to Be LGBTQ-Inclusive	*	0/1	8	

Current Utah Laws protect Student's Sexual Orientation and Gender Identity for Antibullying.

No Utah nondiscrimination laws or policy that protect Transgender students

No Current laws in Utah that require LGBTQ-inclusive curriculum

State Nondiscrimination Laws	Sexual Orientation		Gender Identity					
	Law Exists?	Tally	Law Exists?	Tally				
As a result of a June 2020 U.S. Supreme Court ruling, people in all states can seek recourse for employment discrimination based on sexual orientation and gender identity through the federal Equal Employment Opportunity Commission and federal courts.								
Employment Nondiscrimination Laws*		1/1		1/1				
Housing Nondiscrimination Laws [*]		1/1		1/1				
Public Accommodations Nondiscrimination Laws [*]	8	0/1	8	0/1				
Credit and Lending Nondiscrimination Laws	8	0/1	8	0/1				
Nondiscrimination Policies for State Employees	©	0.5/0.5		7.5				
Negative Law: State Bans Cities and Counties from Passing Nondiscrimination Laws	No Negative Law	0/-1	No Negative Law	d				
Subtotal	2.5/4.5		2.5/4.5					

Public Accommodations and Credit/Lending have also not passed non-discrimination laws

- Healthcare because they don't want the influx of huge elective surgeries nor the cost associated with it
- Public Accommodations because it's such a contested space and will be opposed by both sides on all levels
- And Lending because of the large liability with much higher increase in risks factors

This is not a topic that can or should be lobbied at the political level

State of Affairs - Utah

Transgender Defined:

The definition of Transgender has changed drastically since it's original genesis in 1965 and occurs in many varying degrees and extents. It ranges from thoughts and feelings of gender non-conformance, pharmaceutical interventions, to a strong desires to need to anatomically change one's body.

American Psychiatric Association Definition: a person whose sex assigned at birth (i.e. the sex assigned by a physician at birth, usually based on external genitalia) does not match their gender identity (i.e., one's psychological sense of their gender) | A person experiencing Gender Dysphoria - psychological distress that results from an gender incongruence Mayo Clinic Definition: an umbrella term used to capture the spectrum of gender identity and gender-expression diversity

<u>Diagnostic and Statistic Manual of Mental Disorders (DSM-5)</u>: Only addresses symptoms of gender non-congruence for Adults and Teenagers

NCTE Definition: individuals whose gender identity is different from the gender they were thought to be at birth

Biden Foundation: Those who know themselves to be one gender, but who were labeled a different gender at birth

Advocacy Groups

National Center for Transgender Equality (NCTE) | Mission: change policies and society to increase understanding and acceptance of transgender people.

Gender Justice League | Advocates for transgender legal, political, and medical rights

International Foundation for Gender Education | Non-profit advocacy for overcoming intolerance brought on by widespread ignorance

Transgender Law Center | Mission: change law, policy, and attitudes so that anyone can live according to their preferred gender identity or expression

Equality Utah Lobbying Organization and the state's largest LGBTQ activist group. Mission: to protect the rights of LGBTQ Utahns and their families

It's interesting that groups can't agree on the definition of Transgender. Is it the mere fluid thought of biology opposing ideology or does it suggest that physical intervention needs to be made to actually change anatomy to match ideology? When not even the Transgender Communities nor Medical Experts can answer this with solidarity, why are politicians and Education Administrators trying to define it?

MISINFORMATION and MISREPRESENTATION

Currently, many organizations are trying to muddy the water with opinions instead of facts, and lies instead of laws. This spectrum is heavily contested by Political Agendas, Activist Groups, Statistical Misrepresentation, bad Lawyership, and out-right misrepresentation of the law.

Equality Florida is particularly bad at citing and referencing inaccurate information

They claim that the Case, Ngon v. Wolf solidifies "student rights to privacy with regards to sexual orientation which falls under the broader right to informational privacy." Actual Finding: Nguon failed to establish her constitutional right to Equal Protection and received no judgement Conclusion and Afterword.

and false claims.

PROVIDERS

xvii Nguon v. Wolf, 517 F. Supp. 2d 1177, 1193 (C.D. Cal. 2007) (student's "right to privacy with regards to her sexual orientation falls under the broader right to informational privacy" under federal law); C.N. v. Wolf, 2007 WL 9702949, at *5 (C.D. Cal. Dec. 14, 2007) ("this Court's decision will likely lead subsequent courts to conclude that the right to privacy in one's sexual identity is now clearly established").

REALITY

The Court finds that Charlene has failed to establish that her Constitutiona s under the Equal Protection Clause or under the First Amendment were lated by the School Defendants. The Court finds that Charlene's privacy rights nder the California Constitution were not violated, and that in any event, Wolf vas entitled to discretionary immunity under Section 820.2 of the California Civil Code. Plaintiffs are entitled to neither compensatory damages nor declaratory or

Equality Florida tries to make a case that Transgender Orientation Information is the right of the student only, not classmates, teachers, or even their parents. They cite a Study that 53% of Transgenders experiencing homelessness are due to family rejection.

Why Schools Should Strive to Provide a Safe Space for LGBTQ+ Youth For some LGBTQ youth, school is the only safe space they have to be themselves. Disclosure of a student's sexual orientation or gender identity to others without their consent not only interferes with their constitutional rights to privacy and autonomy, but can also potentially threaten that student's safety and well-being.

Studies have demonstrated that the primary reason for homelessness among LGBTQ youth is family rejection (55.3% of LGBQ youth; 67.1% of trans youth), making parental reactions the leading cause of homelessness among LGBTQ youth.(i) Approximately 40% of the nation's homeless youth identify as LGBTQ, among which 68% have experienced family rejection and 54% have experienced abuse in their families.(ii)

Due to Bullying/Harassment: 35

Due to Mental Health Issues: 33

Due to physical/emotional abuse: 30

Due to Family Rejection: 37

Reasons Reported by Homeless LGBTQ Youth:

Number of LGTBQ Youth (Not

controlled for Transgenders), that

claimed they were forced out: 27

away because of SOGIE Major quantifier left out of all later reports, "Force out" **OR** "Ran Away"

PRIMARY REASON FOR HOMELESSNESS FOR LGBO

AND TRANSGENDER YOUTH AS REPORTED BY

Forced out by parents/ ran

Analysis of the study completed by the Palette Fund,

shows their faulty methodology, over generalizations

True Colors Fund, and Williams Institute in 2015

This was an agency generated report The 2014 survey was conducted from March 2014 thro June 2014. Recruitment was focused on agencies whose primary purpose is the provision of services to youth

SOUTHERN LEGAL COUNSEL

with no need to quantify or verify your response. The total Sample Size was 183 homeless youth of which, 83 of were LGBTQ, and 8 were transgender

This is a completely misleading study that is being used by thousands of Transgender Activist across the country

Current Efforts in Utah not only fail to provide the necessary resources and support to Transgender Students but also fail to address the situation from the needs of the collective whole

The Current Transgender Guidance Document fails to adequately prepare Schools for the significant future ramifications of Gender Policy.

This current direction is not from the stand point of what is best for the student, it is being addressed according to political agenda's, activist groups, and School Liability / Protection

By trying to appease everyone, they are actually satisfying no one

A Social Experiment on the Children of America

What if it was put it this way?

"Hello parents of America. We are going to run a social experiment on your Children and you have no say on the perimeters.

If you object, School Boards, Associations, the FBI, local Attorney Generals, the US DOJ, and US AG will label you as Domestic Terrorists and trespass you or charge you with harassment.

The results of this social experiment may lead to the following negative side effects in your children:

- 9x increase in suicide attempts.
- double the likelihood of homelessness and unemployment.
- the need for counseling, therapy, potentially expensive drug therapies, and life-long medical care.

Participation may also lead to conditions that increase both extreme poverty and HIV infection by 4 times.

There is absolutely nothing that suggests this experiment will result in actionable or useful information, nor help others in any proven way.

Please sign here