

## INTRODUCTION

Certain officials within Jefferson County Public Schools have, without following Kentucky law and proper procedures, implemented certain progressive sex-education curricula in many JCPS schools. This kind of curricula, discussed in greater detail below, can generally be described as “Comprehensive Sex Education” (CSE) or “Sexual Risk Reduction” (SRR).

JCPS officials’ most recent move is among its most concerning. Officials have organized TWO mandatory sex-ed professional development sessions for all health teachers. The first, described below, took place last November 2016.

The second, to be held May 2, 2017, will be led by **Elizabeth Schroeder**, EdD., MSW. Dr. Schroeder is the former associate director of education and training at Planned Parenthood of New York City; former director of special projects at Planned Parenthood Federation of America; and former director of Answer, “a national sexuality education organization dedicated to providing and promoting **unfettered access to comprehensive sexuality education to young people** and the adults who teach them”—a description [Dr. Schroeder provides on her own website](#). She has also worked closely with the United Nations Population Fund (UNFPA)—an organization that human rights groups have long decried for, among other things, its ties to China’s former one-child coercive abortion policy. The current administration recently cut all U.S. funding to UNFPA in light of scandal surrounding the group.

On a [web blog that she maintains](#), Dr. Schroeder is openly hostile toward those who recognize the conjugal definition of marriage and unapologetically pushes progressivist sexual-social policies. While they are many, obvious, and [well described](#), Dr. Schroeder does not appear to acknowledge that a person may understand marriage as the union of husband and wife for reasons other than animus toward people who are same-sex attracted.

In short, Dr. Schroeder advocates a one-sided approach to sex-education driven by a politico-policy agenda rather than an approach to child and adolescent wellbeing that enjoys broad-spectrum consensus and support. As a result, JCPS officials’ requiring health teachers to sit for instruction by Dr. Schroeder is a curricular decision beyond JCPS’s jurisdiction under Kentucky law.

An external group, “Louisville Sex Ed Now (LSEN),” is also pressuring JCPS to adopt a district-wide policy to help implement comprehensive sex-education curricula across the public school system.

There is broad-based concern and questioning among teachers, parents, and taxpayers regarding JCPS’s actions described herein, along with a desire to get involved. This letter is designed to provide a thorough overview of the background and problems, as they are generally understood, in order to equip the reader to act on his or her own and/or to organize and educate others.

A “Resources” section is included at the end to help explain the comparative differences between Comprehensive Sex Education/Sexual Risk Reduction education and other approaches to sex-ed.

## BACKGROUND

### I. JCPS Co-Opts Processes and Implements Comprehensive Sex-Ed (CSE) Curricula in Schools

#### a. JCPS Improperly Decides in Favor of CSE

As far back as Summer 2016, JCPS officials, including Superintendent Donna Hargens, began a push to implement a progressive approach to sex-education across JCPS schools. Dr. Hargens' approach is commonly known as "Comprehensive Sex Education" (CSE), also known as "Sexual Risk Reduction" (SRR) education.

CSE does not describe a single curriculum, but rather many different curricula that all share certain features in common. CSE's central tenet is that abstinence-based (or "Sexual Risk Avoidance," (SRA)) education does not work. As a result, all CSE programs pay passing lip-service to abstinence and then present contraception, particularly emphasizing condom use, as a more realistic way of preventing teen pregnancy and sexually transmitted infections.

**Many CSE programs also include other lessons or discussions on topics that most parents find incredibly objectionable, including abortion, anal and oral sex, masturbation, and sexual orientation and gender identity.** Many also direct students to find out more about sex and sexuality on their own time, directing them to the websites of so-called "community partners," including Planned Parenthood.

**In effect, CSE normalizes teen sexual activity, which [2015 research](#) shows makes 1 in 4 teens feel pressured to become sexually active.**

Research also shows that CSE programs are ineffective and lead to poor outcomes. The Obama administration funded CSE/SRR at a rate of a half-billion dollars over five years. But just this past October, the Obama administration's U.S. Department of Health and Human Services [released a report](#) showing that more than 80% of students in these programs fared either worse or no better than peers who did not participate in SRR programs. Teens in some programs were even more likely to begin having sex, more likely to engage in oral sex, and more likely to get pregnant than their peers who did not participate. The U.S. Department of Health and Human Services [is not alone](#) in questioning the efficacy of CSE/SRR.

JCPS officials have been working for months with various "community partners" to identify which CSE curricula it will present in its schools. But JCPS has seen little need to invite parents—among the most important stakeholders of all—into the process, or even to make them aware of it. Likewise, although many alternative, less controversial alternatives to CSE exist, JCPS officials have consulted with few or no experts regarding these other programs.

Similarly, JCPS officials have significantly diminished the robust role that each school's Site-Based Decision-making Council (SBDM) is supposed to play in selecting and developing curricula under Kentucky statutes and other law. CSE proponents treat the SBDM's role in curriculum oversight as merely a rubber stamp, which undermines some of the central purposes of SBDMs. In this way, CSE proponents can more easily "manage" the voices of objecting parents, teachers, and principals.

**b. JCPS Pushes Pre-Selected CSE Curricula On Health Teachers, Circumventing the SBDM Process**

After pre-selecting five sex-education curricula, on November 30, 2016, JCPS officials authorized a mandatory training for all JCPS health teachers. The teachers were instructed to evaluate each of the five curricula **on behalf of their respective school administrators and SBDMs** “for possible adoption at their schools.”

Four of the five curricula JCPS officials presented to health teachers can safely be said to align with the CSE approach to sex-education.

These four programs are:

[Rights, Respect, and Responsibility](#) – Also known as 3R’s. The program is written by Advocates for Youth (it is STRONGLY recommended that you explore the [Advocates for Youth website](#)). The 3R’s curriculum is steeped in sexual orientation and gender theory, and seeks to instruct children as young as Kindergarten on these sensitive topics. **Indeed, according to her own website, Dr. Schroeder, scheduled to present a second mandatory professional development session to JCPS health teachers on May 2, 2017, “authored or edited” the 3Rs curriculum.**

[Family Life and Sexual Health Curriculum \(FLASH\)](#) – Endorsed by Planned Parenthood, FLASH is likewise steeped in sexual orientation and gender theory beginning in the Fourth Grade, and later presents contraception and abortion in lessons regarding “pregnancy options.” A version of [FLASH used in Washington State](#) instructed children in fifth grade regarding oral and anal sex.

[Making Proud Choices](#) – Likewise endorsed by Advocates for Youth and Planned Parenthood, Making Proud Choices is another program [chock-full of material most parents object to](#).

[Reducing the Risk](#) – Similarly endorsed by Advocates for Youth, this program is not immune from the problems associated with the three listed above.

**Another problem with these four CSE programs is that they go far beyond what Kentucky state health education standards dictate must be taught regarding sex-education.** For example, the Kentucky standards say nothing about abortion or gender theory, yet all of these programs appear to cover both topics.

Other items on the November 30 JCPS mandatory health teacher training included (among other items) a 30-minute session entitled “Bias Free-LGBTQ (Culture & Religion),” and a 15-minute presentation on a “Correct Condom Usage Activity or Video,” which video is already presented to students as young as ninth grade in, at least, Doss High School.

Following the November 30 mandatory training session, in December 2016, Dr. Hargens and others were scheduled to visit the classrooms of health teachers and “view and support” teaching of these sex-education curricula.

**c. Concerned Citizens Get Wind of JCPS’s Actions and JCPS Attempts to Backtrack**

After only a handful of well-informed parents complained to JCPS about these actions via email and in person at the November 29, 2016 JCPS Board meeting, JCPS officials made small attempts to: 1. Distance their actions and the four curricula presented to health teachers from the “CSE”

label; and 2. Re-instruct teachers that the curricula should be evaluated for compliance with Kentucky's state standards. In particular, JCPS Practical Living Specialist Donna Benton, who works under both Karen Branham, Assistant Superintendent for Curriculum and Instruction, and under Lisa Herring, JCPS Chief Academic Officer, [See [JCPS Organizational Chart](#)], sent a follow-up email to health teachers explaining:

Someone has brought to our attention one reference to abortion in a 9<sup>th</sup> grade lesson [in the 3Rs curriculum presented at the November 30 training]. As you continue to examine curriculum for your SBDM, please remember what was clearly communicated at the training: JCPS is standing firm that we are teaching 'standards-based' (KAS) only! A hard copy of the standards was provided as your constant guide of what to teach and NOT teach. Abortion is NOT in the KAS standards and thus would never be taught in JCPS. I was also clear that in any published curriculum there is way more included than can be covered in the time allotted, and more importantly, than is standards-based (KAS). You were instructed to pick out from any curriculum the best skills-based lessons that align perfectly the KY standards only.

Then, in mid-December, Superintendent Hargens and Lisa Herring, JCPS Chief Academic Officer, sent an email to "JCPS Families" explaining:

There has been some confusion regarding this training and misinformation that JCPS has adopted a new policy, which includes information about abortion. That is simply not true. JCPS has not adopted a policy and only information covered by standards and through curriculum framework can be taught in the classroom. Abortion is not taught, nor will it be taught, during sexual education in our schools because it is not part of the Kentucky Health standards. A link to our health curriculum framework may be found here. <http://bit.ly/2gylww1>

Furthermore, each school's Site Based Decision Making Council (SBDM) decides what curricular resources to utilize in their respective schools. ...

JCPS is ensuring that all work and resources relative to sexual education for high school students is based on standards required by the state. The work of our teachers has only been focused on aligning curricular resources to the standards and educating teachers about what resources align with Kentucky standards.

But JCPS's attempts to backtrack and explain do not address the real problems and raise many new questions:

**First**, what is the nature of the "curriculum framework," referenced and linked above in Dr. Hargens's email, which she claims to be authoritative? This framework is different than Kentucky's state health standards, even though JCPS repeatedly recognizes—even in the same email—that Kentucky's state guidelines describe the universe that may be taught in the classroom. In other words, even though Kentucky law prohibits JCPS Board-level policy from directing the curricular decisions reserved to each school's SBDM council – a fact that Dr. Hargens acknowledges even in the same email – the "curricular framework" that she cites does precisely that.

Notably, JCPS's curriculum framework refers only to "unprotected sex" as posing a health risk—it ignores completely the fact that sex with a condom or other forms of contraceptive sex leaves teens exposed to hosts of other medical and psychological risks (including pregnancy over periods of prolonged use). This standard alone makes no room for the virtually undisputed evidence that delay of sexual onset is associated with countless benefits to wellness—including reduced depression, increased academic performance, and reduced participation in other risky behaviors such as alcohol and drug abuse.

In short, JCPS's "curriculum framework" does not cure the problems associated with its endorsement of CSE curricula—the curriculum framework makes the problems worse.

**Second**, JCPS's top-brass has already selected sex-education curriculum, presented it to health teachers at a mandatory training session, and facilitated its implementation in the classroom. What, exactly, is left for the SBDM councils to do in the way of curriculum selection, development, and oversight?

**Third**, the four CSE sex-education curricula JCPS has selected for its students are far from the only curricula that arguably "align with Kentucky standards." There are abundant, evidence-based, non-controversial resources available to JCPS that align with Kentucky's standards—**resources that do not go outside the bounds of the standards in ways that threaten parent-child relationships**. (A list of some of these resources is available from ASCEND under the "Resources" heading below.) By allowing an ideological political agenda to drive decisions about sex-education, JCPS has ignored these evidence-based resources and the parents, medical and science professionals, and others who would bring them forward and who should be included in the process. JCPS has had serious conversations about sex-ed curricula only or primarily with agenda-driven, hardened CSE proponents.

**Fourth**, JCPS's correspondence raises the question: What exactly are health teachers now teaching? If JCPS officials expect health teachers to parse these CSE-laden curricula to pull out all aspects that go beyond Kentucky health standards (including, presumably, abortion and instruction on sexual orientation and gender theory), what remains?

Some of these programs, including 3Rs, appear to be so closely aligned with ideologies outside the scope of Kentucky standards that separating these portions of the curriculum from anything that would remain would be nearly impossible. Indeed, Advocates for Youth, the agenda-driven authors of 3Rs, plainly disclaims modification of the curriculum on its website:

Advocates for Youth created Rights, Respect, Responsibility and intends it to be used in its entirety, while recognizing that districts will select which lessons best meet the needs of their students. In doing so, any adaptations to Rights, Respect, Responsibility must be noted with the language "Adapted from Rights, Respect, Responsibility: a K-12 Sexuality Education Curriculum." Advocates assumes no responsibility for the content or quality of those adaptations.

**d. JCPS presses ahead with a second mandatory sex-ed training session, headed by Dr. Elizabeth Schroeder**

After “laying low” for quite some time, JCPS officials have doubled-down, taking an even sharper turn toward a centralized CSE-approach, having invited Dr. Elizabeth Schroeder to present a “follow up” session to all JCPS health teachers regarding sex-education. The mandatory training is scheduled for May 2, 2017.

**II. “Louisville Sex-Ed Now” and JCPS Board of Education Policy Consideration**

**a. Proposed District-Wide CSE Guidelines**

About two years ago, a coalition of “community partners,” including Planned Parenthood, the ACLU, the Fairness Campaign, and others, formed [“Louisville Sex-Ed Now \(LSEN\).”](#) The stated purpose of the group is to push for CSE in all JCPS schools. On October 25, 2016, the JCPS Board of Education, over the objection of some JCPS Board members, held a working session with LSEN on the topic. LSEN has [proposed guidelines](#) for Board approval, which would require that certain elements common to CSE curricula are present in every sex-education program throughout JCPS.

LSEN recruits students and others to speak in support of CSE at nearly every JCPS Board meeting (which are held twice per month), which strategy has been effective at pressuring the Board to consider LSEN’s proposed CSE policy.

**b. Board Makeup**

It is believed that three JCPS Board members take the position largely consistent with that outlined in this letter—that is, decisions regarding sex education are curricular, and as such are the exclusive province of SBDM councils under Kentucky law. Under this view, Board-level curricular frameworks or policies are inappropriate and should not be considered to begin with. It is suspected that the Board members who naturally take positions consistent with this view include Member Stephanie Horne, Member Linda Duncan, and Member Ben Gies.

On the other hand, it is suspected that Board Members Chris Kolb, Lisa Willner, and Chris Brady largely support LSEN’s proposed policy.

Finally, it is believed that Member Diane Porter could be a key “swing” vote.

Despite this very rough outline, please note that it is important that each Member of the JCPS Board is contacted by his or her constituency regarding the issues discussed in this correspondence, as described below under “Action Items.” All Board Members should be willing to listen and are capable of considering different perspectives, and it is crucial that each Board Member is made aware of his or her constituency’s concerns.

**c. LSEN Proposed Policy Referred to JCPS Board “Policy Committee”**

At a recent meeting, the full JCPS Board voted to refer LSEN’s proposed CSE guidelines to the newly-formed “Board Policy Committee,” which held its first meeting on [March 21, 2017](#). Member Linda Duncan is chairperson of the Policy Committee.

A document generated from that meeting, "[Board Policy Committee -- Pending Policies](#)," now lists "Comprehensive Sex Education" with the action item, "Jonathan to draft proposed language by April 1 for staff discussion and review."

The Policy Committee may consider and vote on whether to recommend LSEN's proposed CSE policy (or a similar policy) to the full JCPS Board.

### **ACTION ITEMS**

Use the information and links throughout in this document and in the "Resources" section below to add substance to the following action items:

#### **I. Email Your Board Members as well as the Board Policy Committee**

Let your Board Member know that you object to any Board-level or district-wide policy regarding sex-education. The decision over which approach to sex-education is best for students is a curricular decision left exclusively to each school's SBDM under Kentucky law. In this way, the important role that families play in their children's upbringing—especially with regard to the individualistic and sensitive topics of sexual development, identity, and wellbeing—is more easily respected. Board-level or district-wide "curricular frameworks," policies, or mandatory teacher trainings based on pre-selected curricula are both illegal and wrong-headed.

It is important that every member of the Board is contacted by his or her constituents. Since Member Diane Porter is believed to be a "swing" vote on these issues, it may be especially crucial that concerned citizens in her constituency speak up.

Whenever contacting any Board Member, **it is COUNTER-PRODUCTIVE to take an accusatory or disrespectful tone.** It is MUCH MORE PRODUCTIVE and helpful to take a deferential and respectful tone. Some Board Members may not be fully aware of the dangers of CSE and may not know about the actions of JCPS officials described in this correspondence. Education on the issues should be among the goals of correspondence with Board Members.

**Email is BY FAR THE MOST EFFECTIVE means of communicating with any Board Member.** You may find your [Board Member's email address here](#), [and a complete list of Member bios and contact information here](#).

In addition to emailing your JCPS Board Member, it is now equally important that the Board Policy Committee—which is currently considering whether to recommend CSE guidelines to the full JCPS Board—hear from concerned citizens.

Member Linda Duncan is chairperson of the Board Policy Committee ([lindadduncan@live.com](mailto:lindadduncan@live.com)). You may consider addressing an email to the full "Board Policy Committee c/o Chairperson Linda Duncan."

#### **II. Attend a bi-monthly JCPS Board meeting and speak during the public comment period against the dangers of CSE and efforts to implement it in our system**

You can find a schedule of [upcoming Board meetings here](#). You must call the Board (502.313.4357) in advance of the meeting to have your name put on the agenda. You may call to have your name added to the agenda as early as the next business day following a regular

Board meeting. Board meetings are held twice per month. They begin at 7:00 p.m. The location can change from time to time, so visit the Board’s website (linked above) in advance.

**While the public comment period historically has been last on the agenda, the first three public speakers to be added to the agenda will now be called to speak near the top of the meeting.**

LSEN has implemented this strategy of appearing before the Board with success, and it is strongly advised that our position is represented in turn at these meetings.

Again, it is counter-productive to take an accusatory or disrespectful tone. Maintain a deferential and respectful demeanor.

### **III. Contact Your SBDMs and PTAs**

Ensure that they are aware of these issues and of how they may be playing out at your school. Ensure that the SBDM is maintaining proper control over curricular decisions and that, when selecting sex-ed curricula, the SBDM invites all stakeholders to the table – including those experts and advocates whose work and research supports the case for approaches other than CSE.

Let them know that a) parents should be notified through multiple channels well in advance of **any** lessons on sex-education; b) parents should be given the opportunity to review any such curricula in advance; and c) that any such program should require signed, parental OPT-IN (not opt-out) in advance.

### **IV. Put Your Eyes Directly on Your School’s Sex-Ed Curricula**

Contact your child’s school and set an appointment to review every page of the sex-ed curricula your child will be taught – INCLUDING student materials, teacher/instruction manuals, and websites that these materials and manuals recommend.

### **V. Contact the Media**

Write letters-to-the-editor of the Courier-Journal voicing your opposition to Comprehensive Sex Education and/or JCPS’s activities described in this correspondence.

Also consider contacting other media if JCPS acts unfairly in any particular circumstance as you stand up for children’s rights on these issues.

### **VI. Tell Your Friends**

Try to think of others in the community who would want to be informed on these issues and encourage them to engage.

## **RESOURCES**

### **I. On the Dangers of CSE**

[10-minute video: The War on Children – The CSE Agenda](#)

[STOP CSE Website](#)



[Stop Sexualizing Children Website](#)

[CSE makes 1 in 4 teens feel pressure to become sexually active](#)

## II. On the Effectiveness of CSE v. Abstinence-Based Education

[Heritage Foundation Backgrounder](#)

[Sex Education and the Seduction of Selective Science](#), by Valerie Huber, *Public Discourse*, June 3, 2016

[Data from ASCEND](#)

[Additional ASCEND data](#)

[HHS Office of Adolescent Health Summary of Report Showing Poor Results of Federally Funded CSE/SRR Programs](#)

## III. Local Media – Several Articles Already Written on the Topic

[A dark cloud over Louisville](#), by Greg Williams, *Courier-Journal*, Jan. 19, 2017

[Risk at Center of Sex-Ed Debate](#), by Bridget Bush, *Courier-Journal*, Dec. 20, 2016

[Parents Should Take Close Look at JCPS Sex-Ed Proposal](#), by Annie MacLean, *The Record*, Dec. 1, 2016 (Page 5)

## IV. [Video: What is Marriage? Part I](#), by Ryan T. Anderson, for FOCUS

Ryan Anderson puts into plain language the divide over the marriage issue, in a rational and even objective fashion. On the other hand, the premises on which many CSE programs rise and fall often foreclose this kind of civil, public discourse. For example, Dr. Elizabeth Schroeder states on her own website, “As supporters of the decision in *Obergefell v. Hodges* celebrate the right that they, their friends or their loved ones now have to marry legally in all 50 states, **opponents claim the decision forces them to do something they do not wish to do – specifically, to acknowledge that lesbian, gay and bisexual people are equal to them.**” Desire to deny the equal humanity of same-sex attracted individuals could not be further from the minds of most Americans who ascribe to a conjugal definition of marriage. This common politico-rhetorical tactic that Dr. Schroeder employs--mischaracterizing the “conservative” argument--only makes “conservatives” easier to dismiss without the need to engage the substantive argument head-on, and does a disservice to the public search for truth and justice.

### I. See Section III, “Current Messages: Learn This and Take Care of Number One” in [“Beyond the Sex-Ed Wars,”](#) by Helen Alvare, *Akron L. Rev.*, Vol. 44 , No. 1, 2011, at pp. 201-212.

Section III of this law review article surveys and describes in detail various sex-ed curricula throughout the United States to pull out common themes of modern programs. The author makes the compelling case that current approaches to sex-education underestimate the importance that human relationships play in decisions to have sex and over-estimate factors such as “safety” and autonomous self-expression, to students’ great detriment. Section IV goes

on to suggest ways that programs may more effectively assist those on the receiving end of state-sponsored messages regarding sex, including public school students (focusing on disadvantaged adolescent females).

## **II. General Resources**

[CDC Study Says Teen Virgins are Healthier](#), by Glenn Stanton, The Federalist, Nov. 29, 2016

[Your Teen and the STD Nobody is Talking About](#), by Meg Meeker, M.D. (published at her blog), on the rise of STDs in teens along with the rise in depression and other psychological consequences of teen sex

[From 16-and-pregnant to 30-something grandma](#), by Ian Rowe, Institute for Family Studies Blog, Feb. 23, 2017

[3-minute video, tips for parents in evaluating sex-ed curricula](#), by “Dear Katy,” a project of CanaVox