



## The Truth about SB 48: Educate your Local School District

### *What You Should Know and Share with Others*

(Go to [leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201120120SB48](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB48) to read the bill text)

**SB 48 requires recognition of controversial groups:** The Fair, Accurate, Inclusive, and Respectful Education Act (The FAIR Education Act, SB 48, 2011) requires social science instruction regarding the contributions of various groups in the history of California and the United States by adding “lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ... cultural groups” to the categories of required instruction.

**Districts and teachers have broad discretion in compliance:** SB 48 explicitly gives broad discretion to school boards and teachers in adopting curriculum consistent with the goals of the law. Each local school district and teacher has the authority to **decide *how* SB 48 is implemented in the classroom in compliance with the law, including how and when (at what grade level) topics are discussed.**

**The HSS Framework is not mandatory:** The History Social Science (HSS) Framework, developed by the California Board of Education (CDE), **serves as a descriptive example or model** but is not pursuant to California law (Education Code Section 33308.5), prescriptive, or mandatory.

**The HSS Framework itself and some textbooks far exceed SB 48:** Students are a captive audience and are highly impressionable. This framework and some suggested textbooks do not merely acknowledge the historical contributions of LGBT individuals and groups, but instead seek to redefine marriage, family, and gender in radical and controversial ways. **For example, some activists seek to “eliminate the gender binary” (i.e. the biological categories of male and female).**

**The HSS Framework can be introduced as early as kindergarten:** The HSS Framework, which some activists want to implement as early as kindergarten, **would over-sexualize young children by discussing sex and gender and by promoting transgenderism.**

**Parental rights are undermined by the HSS Framework:** The U.S. Supreme Court acknowledges that parents have the primary responsibility to raise their children, not the state. **In California, parents have a legal right to opt their children out of *sex education*, but SB 48’s requirements fall outside that area, leaving parents unaware and students unprotected.**

**The HSS Framework coerces government speech in violation of the First Amendment:** The U.S. Supreme Court had determined that the government may not compel individuals to express ideas or thoughts with which they disagree. **The approach of the HSS Framework (and some of the textbooks) seeks to coerce teachers and students to accept and express ideas about gender and gender identity that may violate the individual beliefs and consciences of**

teachers and students. Specifically, those who subscribe to the gender binary which is rooted in objective biology would be affected.

**The HSS Framework is hostile towards religion:** The HSS Framework indoctrinates students by repeatedly describing various religious groups, including the Puritans, as “intolerant,” implying that these religious groups and people who identify with their worldview were or are bigoted or hateful toward women and LGBT persons.

**Promoting transgenderism is harmful to children:** Teaching children that gender (sex) is determined, as the framework does, by subjective feelings and thoughts, as opposed to objective biology, is not healthy. Gender dysphoria remains classified as a mental disorder by the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders. **The American College of Pediatricians warns, “Endorsing gender discordance as normal via public education and legal policies will confuse children and parents, leading more children to present to “gender clinics” where they will be given puberty-blocking drugs.”** Further, they note that as many as 88% of girls and 98% of boys will naturally outgrow any gender confusion by the end of puberty. Thus, schools should not be promoting transgenderism. Read more at [acpeds.org/the-college-speaks/position-statements/gender-ideology-harms-children](http://acpeds.org/the-college-speaks/position-statements/gender-ideology-harms-children).

***Please note:*** An SB 48 legal opinion memorandum, prepared by Dean Broyles, Esq., President and Chief Counsel of the National Center for Law & Policy, is available for download at [nclplaw.org/wp-content/uploads/2011/12/NCLP-SB-48-HSS-Framework-Education-Alert-ltr-11-1-17.pdf](http://nclplaw.org/wp-content/uploads/2011/12/NCLP-SB-48-HSS-Framework-Education-Alert-ltr-11-1-17.pdf). The memorandum offers a thorough review of the framework and curricula.

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