

Questions and What You Should Know for Every Texas School District, Superintendent, School Board, Parent, and Taxpayer

1. Question:

What are your intentions for your school district in regards to the recently adopted FWISD transgendered guidelines, in addition to President Obama's directive for all school districts to consider adopting similar guidelines?

What You Should Know:

On April 26, the Superintendent of the Fort Worth, Texas, Independent School District (ISD) unilaterally issued new transgender student guidelines/policy at the Board of Trustees' meeting dictating new transgendered guidelines, effective immediately. They were not debated, discussed or voted on at any Board meetings.

It has since been shown that 80% of the FWISD residents do not agree with these new guidelines/policy and are speaking out for them to be revoked and the superintendent to resign. They are holding a petition drive, as well as meetings and press conferences, to express their disapproval.

2. Question:

Have you read through the new guidelines by FWISD, and the Dear Colleague Letter by the DOE and DOJ?

What You Should Know:

FWISD Transgendered Guidelines -

<https://cowtowncrierdotcom.files.wordpress.com/2016/04/transgender-student-guidelines.pdf>

DOE and DOJ Dear Colleague Letter -

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf>

3. Question:

Have you read the response from Governor Abbott, Lt. Governor Patrick, TX Attorney General Ken Paxton, and Senator Ted Cruz?

What You Should Know:

Governor Abbott - <http://gov.texas.gov/news/press-release/22337>

Lt. Governor Dan Patrick's Statement - <https://www.ltgov.state.tx.us/2016/05/09/lt-gov-patrick-asks-fort-worth-isd-parents-to-speak-out-against-unilateral-action-of-superintendent/>

<https://www.ltgov.state.tx.us/2016/05/25/lt-governor-dan-patrick-statement-on-ag-lawsuit-regarding-transgender-policies/>

Attorney General Ken Paxton Letter to FWISD Board President -

https://www.texasattorneygeneral.gov/files/epress/files/2016/2016-05-10_fort_worth_letter.pdf?utm_content&utm_medium=email&utm_name&utm_source=govdelivery&utm_term

Lawsuit filed by Attorney General Ken Paxton and 11 States -

<https://texasattorneygeneral.gov/news/releases/ag-paxton-texas-leads-fight-against-doe-doj-bathroom-locker-room-rules>

https://www.texasattorneygeneral.gov/files/epress/files/2016/complaint_FM.pdf

Senator Ted Cruz Statement - http://www.cruz.senate.gov/?p=press_release&id=2642

4. Question:

Are you aware there is nowhere in Title IX, nor Federal or State law, that requires a school district to make these changes?

What You Should Know:

As stated by Attorney General Paxton, and Senator Ted Cruz, there has been no enactment, or change of law, by Congress in regards to Title IX. Dear Colleague Letters and interdepartmental memorandums are not considered binding federal or Texas state law, nor is the Gloucester, Virginia 4th circuit court opinion binding federal or Texas state law.

<https://adflegal.blob.core.windows.net/web-content-dev/docs/default-source/documents/resources/campaign-resources/marriage/safe-bathrooms/myths-and-facts---title-ix-and-its-implications-for-schools.pdf?sfvrsn=4>

5. Question:

If you should proceed to adopt these new transgendered guidelines, have you considered the violations of student, employee, and parental rights?

What You Should Know:

Student Rights - Right to Privacy, Safety Protections, Conscience Protection, Religious Freedom

Employee Rights - Free Speech, Conscience Protection, and Religious Freedom

Parental Rights - Right to Know Full Activities of a Parent's Child at School, (Texas Education Code Section 26 which says "a parent is entitled to full information regarding the school activities of a parent's child" and "a Board, administrator, educator or other person may not limit parental rights.")

6. Question:

Have you determined the percentage of federal funds your school district receives?

What You Should Know:

Historically, federal funding cannot be withheld without a court order. To date, there is no court order to do so, even with the Dear Colleague Letter.

The Obama directive implicitly threatens local school districts into adopting transgendered policies by withholding federal funding if districts do not comply. Stand for Fort Worth states "In the FWISD, federal funds make up 1% of the District's budget while 54% are state funds and 45% are local funds. All of Fort Worth knows our taxable property values went up this year. The District has a \$700 million budget. So the increase in local tax revenue this year means the District would still have \$23 million more than this past year – even if the District rejected its \$9.8 million of federal funds. FWISD can reject federal funds and still have more money next year."

Additional information:

American College of Pediatrician Statement on Gender Ideology - <http://www.acped.org/the-college-speaks/position-statements/gender-ideology-harms-children>.