

# What School Officials Should Know

## About Addressing Homosexuality in Public Schools

### *Clarification for Administrators and Educators*

“In our system, state-operated schools may not be enclaves of totalitarianism ... [and] students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate. They may not be confined to the expression of those sentiments that are officially approved.”

— U.S. Supreme Court, *Tinker v. Des Moines* (1969)

This informational packet has been given to you by a student, parent or community citizen who is concerned about the increasing amounts of political pressure being applied to our nation’s K-12 public schools by national homosexual-advocacy groups.

Often this pressure is applied in the form of demands to create a safe environment for gay and lesbian students. Schools are told that if they do not ban messages perceived to be “homophobic” and “anti-LGBT” (lesbian, gay, bisexual, and transgender)—as well as include positive statements about homosexuality in their policies and classroom materials—they will face legal liability.

Unfortunately—while we agree that all students need and deserve protection and a safe environment—this type of one-sided and dogmatic approach could put schools in serious jeopardy of violating important constitutional principles and of denying youth freedom of access to valuable, fact-based information.

For this reason, we have compiled this information to offer clarification and a more balanced perspective for school officials. This is just one component of a much larger packet that can be found at [www.truetolerance.org](http://www.truetolerance.org)

For more information regarding specific legal principles involved in addressing homosexuality in public schools, in addition to relevant legal cases, we highly encourage you to visit this Web site and download the *Legal Memorandum* from the Alliance Defense Fund, as well as other helpful information and tools.

This packet contains the following components:

- Letter from Alan Sears, President, CEO and General Counsel for the Alliance Defense Fund
- Unsubstantiated Claims Made by Homosexual Advocacy Groups, addressing inaccuracies in GLSEN’s *Just the Facts* primer (published by Focus on the Family)

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[TrueTolerance.org](http://www.TrueTolerance.org)



Dear Public School Educator or Administrator,

As an individual entrusted with the critical role of educating the next generation, I am confident you agree that schools should be places where varying points of view are respected.

Unfortunately, there are individuals and organizations that seek to limit the information students receive, rather than expand their knowledge on some of the critical issues they face during their formative years. This one-sided approach is especially visible during events such as the Day of Silence, which is annually promoted by GLSEN—the Gay, Lesbian and Straight Education Network. GLSEN and other advocacy groups encourage students and teachers to use events like the Day of Silence as a political tool to force an adult agenda into school policy and curriculum. (For specific examples of this, please visit [www.truetolerance.org](http://www.truetolerance.org).)

However, at the same time that these special-interest groups are pressuring schools to promote homosexual behavior, they also are attempting to shut out competing messages that express alternative points of view. For example, GLSEN initiated an effort to send school districts a publication—which you may have received—entitled “Just the Facts about Sexual Orientation and Youth.” In addition to containing inaccurate and misleading information, the document appears to be an effort to intimidate school administrators into promoting programs and policies which advocate only one viewpoint on the issue of homosexual behavior. It appears that the main goal of the “Just the Facts” booklet is to force schools to shut down all rigorous debate on the issue of homosexual behavior, including its causes, the role of choice and the possibility for change.

But GLSEN and groups that advocate homosexual behavior cannot have it both ways. Student and faculty should not be forced to support GLSEN’s political agenda. Moreover, opposing viewpoints should not be excluded from the debate. In fact, contrary to GLSEN’s legal threats, silencing one side of the discussion could result in unconstitutional discrimination. Furthermore, GLSEN fails to indicate that many young people *actually want* information regarding the possibility of change.

So while no one disagrees with the fact that all students should enjoy a safe environment, at the same time, schools are not required to encourage particular sexual practices or views on sexuality. That is why we want to assist you in your efforts to provide a quality, fact-based education for your students and to bring a reasonable balance in discussing these issues. To that end, we have made available the enclosed memorandum, which includes references to pertinent legal cases, many of which have been handled by the Alliance Defense Fund. Please know that the Alliance Defense Fund stands ready to provide free legal assistance to help clarify any questions or concerns you may have.

Thank you for taking the time to review this material!

Alan Sears  
President, General Counsel, CEO  
Alliance Defense Fund

# Just the *Real* Facts Please:

## Unsubstantiated Claims Made by Homosexual Advocacy Groups in GLSEN's *Just the Facts about Sexual Orientation and Youth*

### Introduction

For the past several years, public schools nationwide have received a manual entitled *Just the Facts about Sexual Orientation and Youth*. Initiated by one of the largest homosexual advocacy groups in the nation—the Gay, Lesbian and Straight Education Network (GLSEN)—the 24-page booklet concludes, among other things, that homosexuality is one of the “normal expressions of human sexuality” and that “experimentation and discovery” are “common” for youth.

The main theme: Schools are only allowed to provide one message about homosexuality—that it is normal and should be embraced.

Not only does the booklet raise the specter of legal liability for schools that offer resistance to that theme, but it also mandates that schools censor any competing viewpoints—especially any that would dare to inform youth struggling with unwanted same-sex attraction that they can pursue change if they wish to do so. In fact, the booklet goes so far as to insinuate that change-is-possible messages will cause “serious” harm to youth.

Aside from the ridiculousness of asserting that compassionately delivered free speech causes physical harm, we believe this one-sided agenda to be dangerously irresponsible from a psychological and emotional perspective. For instance, we know from scientific data that many children, starting at age 12, are unsure about their sexual identity. Many of them don't even solidify their sexual identity until age 17 or 18. Clearly, the middle and high school years are a crucial and vulnerable time for children who are developing in many ways. So schools certainly shouldn't be opening their doors to messages that push children into prematurely embracing a sexual identity based on the demands of outside advocacy groups.

Furthermore, the “Just the Facts” booklet bases its main assertions on several misleading statements and unsubstantiated claims. The following pages represent our effort to correct these inaccuracies with the real facts.

# Unsubstantiated Claims in GLSEN's *Just the Facts about Sexual Orientation and Youth*

## **Claim: Schools are being targeted by “conversion therapy” groups and religious ministries.**

*Just The Facts (JTF)* purports to provide “principals, educators, and school personnel” with “accurate information” to help them respond to a “recent upsurge in promotion of efforts to change sexual orientation through therapy and religious ministries.” “Public school officials are the targets” of these groups, warns *JTF*, adding that “Some religion-based organizations such as Focus on the Family have invested significant resources in the promotion of sexual orientation conversion therapy.”<sup>1</sup>

### **Response:**

- The truth is, there is no nationwide “upsurge” in efforts to promote “therapy” in schools. National religious ministries have no interest in pushing sexual therapy onto public schools. In fact, the majority of faith-based groups would prefer that homosexuality not be addressed in public school classrooms at all, leaving the matter up to parents.
- If you really want to look at “just the facts,” the truth is the only “upsurge” happening in the public schools is (A) a dramatic increase in attempts by outside advocacy groups to increase promotion and discussion of homosexuality and (B) a corresponding reaction among students and parents who want to exercise their First Amendment rights to express an alternative viewpoint. Both trends are signified in the increase of legal cases and actions, many of which are referenced in a legal memorandum from the Alliance Defense Fund (downloadable at [www.truetolerance.org](http://www.truetolerance.org)).
- As a result of the increase in homosexual advocacy, increasing numbers of students are requesting help from faith-based groups to obtain resources they feel represent their point of view. For example, on the [Day of Dialogue](http://www.dayofdialogue.com), thousands of students voluntarily choose to exercise their free speech rights to present a faith-based perspective, wearing T-shirts and distributing cards inviting fellow students to have a conversation and free exchange of ideas. (For more information, visit [www.dayofdialogue.com](http://www.dayofdialogue.com))
- In short, the initiatives opposed by *JTF* and GLSEN consist of generalized, free-speech messages delivered, distributed or sponsored by students—not detailed endorsements of particular therapies. To suggest otherwise, is misleading and even deceptive.
- Focus on the Family does not invest “significant resources” in the promotion of “conversion therapy.” Focus on the Family is comprised of multiple ministries and outreach divisions, none of which is solely dedicated to addressing the issue of homosexuality. In previous years, Focus on the Family hosted *Love Won Out*—essentially a traveling conference geared toward church audiences (not schools)—which constituted less than one-half of 1 percent of Focus’ entire budget. *Love Won Out* did not practice or endorse any therapy. Since then, Focus on the Family has transitioned the conference to Exodus International and no longer organizes it. Under Exodus’ leadership, the purpose of the conference is to educate and equip the church to respond in love, truth and compassion to those affected by the issue of homosexuality. (For more information, visit [www.lovewonout.com](http://www.lovewonout.com)).
- Meanwhile, the lead sponsor of “Just the Facts”—GLSEN—boasts of having more than 4,000 pro-gay clubs<sup>2</sup> in public schools nationwide and openly lobbies for more homosexual-themed curricula (with the help of an estimated \$6 million budget, a national staff of over 30, a 25-member board, offices in New York City and Washington, D.C. and 34 chapters around the nation<sup>3</sup>). So it is disingenuous for GLSEN to accuse other groups of targeting schools.

## Claim: Messages that “change is possible” are mentally harmful to youth.

*JTF* asserts that messages stating it’s possible to change one’s sexual orientation would increase the risk of “harassment” and “harm” experienced by students who identify as gay<sup>4</sup>—and therefore, should be censored.

### Response:

- You will notice there are no footnotes for this claim, which is repeated throughout the *JTF* document. That is because there are no scientific data or studies supporting it. It appears to be pure speculation on the part of GLSEN and *JTF* sponsors.
- *JTF* also tries to strengthen the “harm” claim by linking student-initiated, change-is-possible messages directly to controversial therapy techniques. But this is a false association and a red herring. The messages students have initiated in schools (through participation in national, student-led events) have not endorsed particular therapies, but rather simply stated that people have the freedom to change if they want to do so. They have sought to express a faith-based perspective on sexuality in general.
- It is worth mentioning though—that while GLSEN’s claims of harm from change-is-possible statements are completely unsubstantiated—there is plenty of research supporting the fact that people can change their sexual orientation. For example:
  - A peer-reviewed, longitudinal study by Stanton L. Jones, Ph.D., and Mark A. Yarhouse, Psy.D., found solid evidence that long-term change away from homosexual orientation can and does occur. They also found that, overall, participants were not psychologically harmed by faith-based change.<sup>5</sup>
  - Dr. Robert Spitzer, a former APA (American Psychiatric Association) Fellow—as well as a Professor of Psychiatry and Chief of Biometrics at Columbia University—published his study of 200 men and women who had reported some change "from homosexual to heterosexual orientation that lasted at least five years." He found that "almost all of the participants reported substantial changes in the core aspects [of] sexual orientation, not merely overt behavior." He also noted that “participants reported benefit from nonsexual changes, such as decreased depression.”<sup>6</sup> This is significant considering that Dr. Spitzer played a key role in the decision to remove homosexuality from a list of psychiatric disorders.
  - Dr. Scott Hershberger, a scientist from the University of California at Long Beach and a supporter of homosexual advocacy, analyzed the study by Robert Spitzer and found, “The orderly, law-like pattern of changes in homosexual behavior, homosexual self-identification, and homosexual attraction and fantasy observed in Spitzer’s study is strong evidence” that the men and women had really changed from homosexual to heterosexual in their orientation.<sup>7</sup>
- *JTF* also argues that change-is-possible messages should be censored because they are often inspired by religious beliefs.<sup>8</sup> But that is not a constitutionally valid line of reasoning. In fact, the courts have said just the opposite. The U.S. Supreme Court has stated that the Establishment Clause requires government organizations to be neutral toward religion—neither endorsing it, nor showing hostility. The Supreme Court has also ruled against viewpoint discrimination—the censoring of a message based on the beliefs of the speaker or writer.<sup>9</sup>
- In fact, school officials should note that several statements found within *JTF* are hostile toward faith-based perspectives, and therefore represent the type of statements that could make schools legally vulnerable. For instance, there are unsubstantiated statements accusing “religious organizations” of promoting messages that “have serious potential harm to young people.”<sup>10</sup>

**Claim: Schools should consider homosexual “experimentation and discovery” as “normal and common.”**

**Response:**

- It is contradictory, and even irresponsible, for those claiming to promote the health and well-being of kids to encourage sexual experimentation at an early age. It is well-documented that the earlier the age of sexual activity, the greater risk of contracting sexually transmitted diseases and experiencing emotional harm, both of which can have lifelong consequences.<sup>11</sup>
- Promoting one-sided messages that encourage children to embrace a sexual identity is also irresponsible from a mental health standpoint. Experts agree it is inadvisable for a child to embrace a sexual identity at an early age before they have reached the wisdom and emotional maturity of adulthood.
  - According to a scientific article published in the journal *Pediatrics*, nearly 26 percent of 12-year-olds are unsure about their sexuality. The study showed that this uncertainty diminished significantly in older age groups. So pushing a particular sexual agenda onto children during this vulnerable time period is irresponsible, and can even amount to taking emotional advantage of youth.<sup>12</sup>
  - Social science data shows that teenagers who abstain from sex are less likely to be depressed and to attempt suicide; to experience STDs; to have children out-of-wedlock; and to live in poverty and welfare dependence as adults. The data also shows that teens who delay sexual activity are more likely to have stable and enduring marriages as adults.<sup>13</sup>
  - Data from the National Longitudinal Study of Adolescent Health (Add Health) has also shown that, when compared to sexually active teens, teenagers who abstain from sex during high school years are 60 percent less likely to be expelled from school, 50 percent less likely to drop out of high school and almost twice as likely to graduate from college.<sup>14</sup>
  - “We really do an injustice to our children when we assign labels that don’t reflect the reality of developmental fluidity. Adolescence in particular is characterized by such fluidity. Labeling which carries with it the potential for premature closure on issues regarding sexual orientation and sexual identity places children at risk for experimentation, the consequences of which is beyond their ability to comprehend.” *Dr. A. Dean Byrd, University of Utah School of Medicine.*<sup>15</sup>
- Furthermore, polls make it abundantly clear that parents do not want schools to push their children prematurely into sexual activity—or want their kids to be exposed to messages promoting casual sex.
  - According to a 2007 Zogby International poll, 9 out of 10 parents think that given the high number of STDs among teens, it is important for schools to emphasize abstaining from sex. A similar 2003 Zogby poll revealed that more than 90 percent of parents think society should, at a minimum, encourage teens to wait for sex until after high school and that more than 90 percent of parents also want teens taught that sexual experimentation at an earlier age increases risk of infection by sexually transmitted diseases.<sup>16</sup>
- The bottom line is that school officials should be fully aware that any type of sexual experimentation among teens is emotionally and physically risky—and they have a duty to protect students entrusted to their care. Likewise, they should be aware that many homosexual advocacy materials and organizations refer students to adult groups that have explicit materials and also contain endorsements of sexual experimentation among youth.<sup>17</sup>

**Claim: Schools must promote messages about homosexuality that are “accepting” and “positive”—while censoring others deemed to be negative.**

**Response:**

- School officials should be aware that many youth struggling with same-sex attractions desire an alternative to one-sided messages telling them their only choice is to embrace a homosexual identity. This is especially true among youth who seek to align their personal religious convictions with their sexuality. Messages telling them it’s impossible to change, ironically, may be statements that do cause mental harm by causing feelings of hopelessness.
  - “When it comes to feelings of sexual attraction, no amount of hoping, praying, psychotherapy, or wishful thinking will make them go away. ... no matter what anyone says you can’t change or eliminate your feelings of sexual attraction, just as you can’t change the true color of your eyes.” Example of a hopeless, one-sided message in a GLSEN recommended book, *What if Someone I Know is Gay?* By Eric Marcus.<sup>18</sup>
  - “I confided my struggle to a high school counselor. Her response? ‘You just need to realize you were born gay ... and embrace it.’ At the same time, I wasn’t hearing from anywhere that change was possible. ... We all know that any decision is only as good as the information with which that decision is made. But with the help of GLSEN and other pro-gay ‘safe schools’ programs, more and more youth will erroneously decide that homosexuality is their only option and find solace with adults that encourage experimentation and identification with the homosexual community.”

*Mike Haley, speaker for Focus on the Family and author of  
101 Frequently Asked Questions About Homosexuality  
Today, Mike is married and the father of two boys.*
  - “Anyone saying a basic sexual orientation in teenage years is unchangeable has a fundamental lack of knowledge of the published material. About half the young people convinced they are gay become convinced of the opposite by adulthood. About 2-3% of those convinced they are straight change their belief by adulthood,” said Neil Whitehead, Ph.D., author of more than 130 published scientific papers, in addition to the book, *My Genes Made Me Do It—a Scientific Look at Sexual Orientation*.<sup>19</sup>
- Furthermore, it is not intellectually honest, or logical, to claim to protect diversity by censoring unpopular viewpoints. This is a principle confirmed by numerous federal court decisions. Just to quote a few:
  - “... the notion of sponsorship of one viewpoint to the exclusion of another hardly seems to further the school’s purported objective of ‘celebrating diversity.’” *Hansen v. Ann Arbor Public Schools*. (In 2003, a federal court ruled against a public school that refused to include conservative religious speakers on a pro-gay theology panel during the school’s Diversity Week.)<sup>20</sup>
  - “... the government violates the First Amendment when it denies access to a speaker solely to suppress the point of view he espouses on an otherwise includible subject.” *Lamb’s Chapel v. Ctr. Moriches Union Free School Dist.* (In 1993, the U.S. Supreme Court ruled against a public school that gave access to community groups for presentations on children and family issues—but denied access to a church group who wanted to show a video on the same topic.)<sup>21</sup>
  - The “Curriculum presents only one view on the subject—that homosexuality is a natural and morally correct lifestyle—to the exclusion of other perspectives. ... As such, the Court is deeply concerned that the ...Curriculum violates the Plaintiffs’ free speech rights under the First Amendment.” *Citizens for a Responsible Curriculum v. Montgomery County Public Schools*. (In 2005, a federal court halted the proposed curriculum because of bias against religion and ordered the public school to give parents with different viewpoints a voice in curriculum selection.)<sup>22</sup>

**Claim: The view that it's possible to change your sexual orientation has "been rejected by all the major mental health professions."**

**Response:**

- None of the professional medical or mental health associations have banned—or declared unethical—attempts to help clients who desire to change their sexual orientation. It is true that the American Psychiatric Association removed homosexuality from its list of disorders in 1973. But that's a far cry from banning counseling assistance from those who seek it. And it by no means represents the opinion of all the nation's medical and counseling professionals.<sup>23</sup>
- Contrary to what *JTF* and *GLSEN* are claiming, the debate on this issue is far from settled. There are many reputable and well-known professionals who believe it is possible to change one's sexual orientation. In fact, the American Psychiatric Association continues to recognize persistent and marked distress about sexual orientation as a disorder – thereby qualifying it as a treatable condition.<sup>24</sup>
- "It is fallacious to conclude from this vote [the APA's vote to remove homosexuality from its disorders list] that the majority of psychiatrists in the United States were or are now in favor of the action, for only 25% of those eligible to vote (out of more than 25,000 psychiatrists) sent in their ballots." *Charles Socarides, M.D., a Life Fellow of the American Psychiatric Association and former Clinical Professor of Psychiatry at Albert Einstein College of Medicine in New York City.*<sup>25</sup>
- "We hypothesized first that change of sexual orientation is impossible, and second that the attempt to change is harmful. The logic of scientific inquiry then drives us, based on our results, to reject both hypotheses and to conclude first that change of sexual orientation is *not* impossible because it indeed appears possible for some, and second that the attempt to change sexual orientation is *not* harmful on average." *Statement from a paper presented by Stanton L. Jones, Ph.D., and Mark A. Yarhouse, Psy.D., at the American Association of Christian Counselors in Nashville Tennessee in September 2007. Jones and Yarhouse also published the results of "a longitudinal study of religiously mediated change in sexual orientation." Jones is a member of the American Psychological Association and served on the Council of Representatives, the central governing body of the APA, from 1999-2001. Yarhouse is a licensed clinical psychologist and has chaired several symposia at the American Psychological Association.*<sup>26</sup>
- "I'm convinced from people I have interviewed, that for many of them, they have made substantial changes toward becoming heterosexual. . . . I came to this study skeptical. I now believe that, for many, these changes can be sustained." *Dr. Robert Spitzer, a Columbia University psychiatrist and researcher, commenting on his own research during a 2000 interview with Dr. Laura Schlessinger. Spitzer was one of the key players in the American Psychiatric Association's 1973 decision to remove homosexuality from its list of disorders.*
- "In 1970, the Kinsey Institute reported that 84 percent of the homosexuals they studied had shifted their sexual orientation at least once; 32 percent of them reported a second shift, and 13 percent reported five changes, during their lifetime, in their sexual orientation!" *Joe Dallas, founder of Genesis Counseling and author of five books on homosexuality.*<sup>27</sup>

**Claim: “Conversion therapy” groups are trying to “cure” people and are “aimed at eliminating or suppressing homosexuality.”**

**Response:**

- Despite the previously explained irrelevance to the public school setting, *JTF* has brought “conversion therapy” into the discussion in an attempt to sidetrack the free-speech issue into a debate over counseling techniques. This gives the false idea that Christian groups are trying to have “therapy” revival sessions on school campuses. That’s false. The truth is, that faith-based groups have simply provided resources upon request to students.
- We are not therapists, so we will leave definitions of counseling techniques to them. However, we would like to offer an accurate explanation of the perspective of faith-based ministries from which many students request resources:
  - Contrary to what is stated in *JTF*, we do not believe people choose their same-sex attractions. We concur with the predominant thinking in scientific circles that homosexuality is likely caused by a complex interaction of environmental, emotional and biological factors. When we use the word “choice,” it is in reference to men and women who struggle with unwanted same-sex attractions, choosing to steward their impulses in a way that aligns with their worldview and belief system or faith convictions.
  - One of the largest faith-based groups dealing with this issue is Exodus International— a nonprofit, inter-denominational organization representing more than 240 Christian ministries, counselors and churches around the world. In no place does Exodus state that the goal of their ministry is to “eliminate” same-sex desires. Instead, Exodus explicitly states that their overarching goal is “to offer a safe, supportive environment in which individuals who contact us can live according to their personal beliefs rather than being dominated by their feelings.”
  - Ministry outreaches such as Love Won Out and Exodus aren’t trying to “make” anybody do or become anything; they simply want to offer a scientific and first-hand perspective on the issue of change in homosexuality that is, sadly, underreported in the mainstream media and mischaracterized by homosexual advocacy groups. These ministries are not trying “cure” or “fix” homosexuals, nor do faith-based groups have a primary goal of “eliminating ... sexual desires.” Such glib characterizations ignore the complex series of factors that can lead to same-sex attractions. They also mischaracterize the mission of such ministries, which exist to help people dissatisfied with living homosexually and give them hope that same-sex attractions can be changed. It is not easy, but it is possible, as evidenced by the thousands of men and women who have walked this difficult road successfully.

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## Footnotes

- 1 *Just the Facts About Sexual Orientation and Youth: A Primer for Principals, Educators and School Personnel*, Feb. 14 2008, Just the Facts Coalition, pp. 2, 11, 20. Information accessible at GLSEN's Web site: <http://www.glsen.org/cgi-bin/iowa/all/library/record/2341.html?state=policy>
- 2 GLSEN. Information accessible at <http://www.glsen.org/cgi-bin/iowa/all/student/index.html>
- 3 GLSEN Annual Report and Financial Statements: <http://www.glsen.org/cgi-bin/iowa/all/about/profile/index.html>; GLSEN national board and staff members. Information accessible at <http://www.glsen.org/cgi-bin/iowa/all/about/directory/index.html>
- 4 *Just the Facts*, pp. 4, 10, 11.
- 5 Jones, Stanton L. and Mark A. Yarhouse. *Ex-Gays? A Longitudinal Study of Religiously Mediated Change in Sexual Orientation*, Downers Grove: InterVarsity Press, 2007.
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- 14 Rector, Robert and Kirk A. Johnson, Ph.D. "Teenage Sexual Abstinence and Academic Achievement," Conference Paper, The Heritage Foundation, Oct. 27, 2005. Information accessible at <http://www.heritage.org/research/abstinence/whitepaper10272005-1.cfm>.
- 15 Byrd Ph.D., MBA, MPH, Dean A. University of Utah School of Medicine. Q&A via email exchange with Focus on the Family's Issues Analysis team, September 2010.
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