

Key Facts

Help for Parents Who Feel Powerless

What to do when your child's school conducts a one-sided "diversity" day or other homosexuality promotion.

School officials in Deerfield, Ill., outraged parents by including pro-gay speakers in a mandatory freshman advisory class for kids as young as 14. The officials then ignored the parents' complaints.

So what do you do if a school board disregards your concerns? Give up, or fight back?

The good news is, you have the power to fight back—through federal and Supreme Court rulings that have outlawed "viewpoint discrimination."

That principle is best explained in three U.S. Supreme Court cases—*Lamb's Chapel v. Ctr. Moriches Union Free Sch. Dist.* (1993), *Good News Club v. Milford Central School* (1993) and *Rosenberger v. Rector and Visitors of the University of Virginia* (1995). Though these cases didn't deal directly with homosexuality, they clarified principles that have helped parents defeat unfair pro-gay policies. First of all, the Court said that when public schools open their doors to speakers or written expressions, they have created a "limited public forum"—"limited" means some restrictions on speech are allowed. Even so, those restrictions must be "viewpoint neutral"—meaning they cannot allow secular speakers, and then censor others simply because they happen to have a religious perspective.

One-sided "Diversity" Days

That double standard is often on display during school "diversity" days—events that usually portray homosexuality as good and normal, and attack opposing viewpoints as bigotry. Gay activists have tried to intimidate schools by arguing that allowing ex-gays speakers—people who've left the homosexual lifestyle and often have deeply held religious convictions— would violate the Establishment Clause. But the U.S. Supreme Court has actually said the opposite: "More than once have we rejected the position that the Establishment Clause even justifies, much less requires, a refusal to extend free speech rights to religious speakers who participate in broad-reaching government programs neutral in design," (*Rosenberger*).

In fact, such actions actually "risk fostering a pervasive bias or hostility to religion, which could undermine the very neutrality the Establishment Clause requires."

This principle worked for Judeo-Christian parents in Wisconsin who cited viewpoint discrimination when they complained about the Diversity Day at Viroqua High School in Wisconsin. They demanded that the school include an ex-gay speaker—rather than do that, school officials canceled the event.

Another important victory is the 2003 federal court opinion, *Hansen v. Ann Arbor Public Schools*, against a Michigan high school. As part of its Diversity Week, the school featured a "Religion and Homosexuality" panel of pro-gay religious leaders. Betsy Hansen, a member of the school's student Christian club, asked permission to include a clergy leader representing her club's perspective — or be allowed to speak on the panel.

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Her request was denied. But Hansen was vindicated when the court found the school had not followed the viewpoint neutrality principle, and thus violated both her free speech rights and the Establishment Clause. The court quoted the U.S. Supreme Court's 1969 *Tinker v. Des Moines* ruling: "In our system, state-operated schools may not be enclaves of totalitarianism."

Pro-gay curricula

The viewpoint neutrality principle can also apply to what's being taught in your child's classroom. For instance, parents in Maryland protested a pro-gay curriculum that was going to be piloted in eighth and 10th grade classes.

One of the accompanying worksheets listed as a "myth" the statement that "Homosexuality is a sin." The curriculum even went so far as to disparage specific denominations — including Baptists and "Fundamentalists." Not surprisingly, there was an uprising in the local community. And in May 2005, a federal court halted the proposed curriculum, because it presented "only one view on the subject — that homosexuality is a natural and morally correct lifestyle — to the exclusion of other perspectives," (*Citizens for a Responsible Curriculum v. Montgomery County Public Schools*). The court also ordered the school to give protesting parents and ex-gays a voice in curriculum selection.

How can parents and students use these legal precedents? If your child's school insists on promoting homosexuality, pay close attention to how it handles religious topics. If the school presents pro-gay theology to the exclusion of other beliefs, it's likely violating the Constitution. Also, begin rallying the community to pressure the school to include other perspectives, citing court decisions like *Hansen* and *Citizens for a Responsible Curriculum*. If your child's library is flooded with pro-gay books, donate ex-gay books to represent another viewpoint.

Student-led events

Recent court decisions have also empowered socially conservative students to respectfully take matters into their own hands. In recent years, students in North Carolina, Oregon and New Jersey have challenged school policies and, in each case, won the right to counteract the pro-gay Day of Silence with their own student-led Day of Truth (www.dayoftruth.org).

And it's not just on the issue of homosexuality that viewpoint-neutrality principles are winning. In one year alone, public school students won four legal challenges allowing them to celebrate a "Pro-Life Day of Silent Solidarity."

The bottom line is, taxpaying parents and students have a right and a responsibility to request that their viewpoints be represented in their own local schools—as well as the backing of numerous federal court rulings. So parents should never buy into the lie that they have to completely surrender ground to outside, gay activist groups.

Candi Cushman is the Education Analyst for Focus on the Family's Government and Public Policy division.