

**“GENDER UNCERTAINTY”  
INVADES PUBLIC SCHOOLS  
AS  
THE NEXT WAVE OF THE PANSEXUAL  
INDOCTRINATION OF SOCIETY**

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## I. INTRODUCTION

In school districts throughout the country, the pansexual transformation of society has been stealthily making inroads into the minds of children. The latest manifestation of the decades-long revolution is the concept of “gender uncertainty,” labeled “gender identity,” now being integrated into non-discrimination policies, student codes of conduct and curriculum. One of many driving forces behind the transformation is Planned Parenthood, which has had its sights set on the nation’s children since its founding in 1942, although it dared not reveal the extent of its plan all at once. This 1953 statement by Planned Parenthood’s Dr. Lena Levine tellingly foretold the fundamental transformation that was their goal:

[We must] be ready as educators and parents to help young people obtain sex satisfaction before marriage . . . and we must be ready to provide young boys and girls with the best contraception measures available so they will have the necessary means to achieve sexual satisfaction without having to risk possible pregnancy.<sup>2</sup>

With that “sexual freedom” philosophy as its anchor, Planned Parenthood’s version of “sex education” was launched in public schools beginning in 1958 with the promise of being a panacea for the rather minor problem of teenage pregnancy and venereal disease.<sup>3</sup> However, the move toward greater “sex satisfaction before marriage” in fact resulted in exponential increases in both problems.<sup>4</sup> In 1986, commenting on this failure of sex education to meet its stated goals, Stanford University researcher Dr. Larry Cuban said:

Decade after decade...statistics have demonstrated the ineffectiveness of such courses in reducing sexual activity, unwanted pregnancies and venereal disease among teenagers. Before the reformers mindlessly expand school programs aimed at preventing teenage pregnancy, they ought to ask some hard questions. But I doubt that they will.<sup>5</sup>

The “mindless reformers” to whom Cuban referred are documented as a clan of sexually atypical persons who concocted the previously nonexistent field of “sexology” based on their founder, Alfred Kinsey’s, revolutionary books, *Sexual Behavior in the Human Male* (1948) and *Sexual Behavior in the Human Female* (1953).<sup>6</sup> Kinsey and his co-authors crafted both books as a means of normalizing their own criminal and abnormal sexual lusts.<sup>7</sup> With the help of Planned Parenthood, SIECUS (the Sex Information Council of the United States) and legions of other cohorts in the media, academia and law,<sup>8</sup> Kinsey’s goal of normalization of all manner of sexual activity, beginning at birth,<sup>9</sup> has been largely realized and today’s dysfunctional sexual conduct of American youth (confirmed by increased mental and physical impairment statistics) reflects the consequences of the agenda of these sexual revolutionaries.

As Dr. Cuban predicted, these “mindless reformers” have not stopped to ask the hard questions, but have moved forward with their agenda, “mindlessly expand[ing] school programs.”<sup>10</sup> The reformers have moved from promoting “safe” premarital sexual intercourse to teaching that masturbation, oral and anal sodomy, homosexuality and bisexuality are healthy and normal. Now “gender uncertainty”<sup>11</sup> concepts of “gender identity” “gender fluidity,” “transgenderism” and similar terms will become part of the children’s lexicon, relegating “girl”

“boy” and “man” “woman” much less ‘maiden,’ ‘ladies,’ and ‘gentleman,’ to the dustbin of ancient history. New language is invading everything from “family life education” to English, social studies, science and math.

However, the invasion does not stop at the classroom. The federal Department of Education (“DOE”), which has cautioned that sexual “innuendoes” “graphic pictures” and “language” can cause harm,<sup>12</sup> is now pressuring school districts to amend their non-discrimination policies to include “gender identity” or lose federal funding.<sup>13</sup> The DOE warns school boards that they can be liable for sexual harassment “when a teacher, school employee, other student, or third party creates a hostile environment that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's program,”<sup>14</sup> but then compels districts to add “gender identity” to non-discrimination policy, which creates a “hostile learning environment.” Adding “gender identity,” which does not have an accepted, objective definition,<sup>15</sup> introduces “gender uncertainty” into children's lives, as males who “identify” as females regardless of their biologically obvious physical genitalia must be permitted to use female's private spaces like restrooms and showers, and vice versa. Students will be confused and distracted, many even frightened, by the appearance of students and staff who externally resemble one sex but say they “identify” as another. This will limit the student's ability to participate in and benefit from the school's program, *i.e.* create a hostile learning environment.<sup>16</sup> The federal government is not only creating a Hobson's choice,<sup>17</sup> but is also actually encouraging students whom the American Psychiatric Association defines as “mentally disordered”<sup>18</sup> to continue suffering rather than seeking assistance.

Many school boards throughout the nation, including in Fairfax County, Virginia, have caved to the DOE's pressure and voted to add “gender identity” to its non-discrimination policy and to its student code of conduct. School boards also then vote to train and test children in “sexual orientation terms,” including heterosexuality, homosexuality, bisexuality – “and the gender identity term transgender,” as part of their “sex education” or “Family Life Education” curriculum.<sup>19</sup> Students are trained/indoctrinated in the Kinsey created theory, that “sexuality evolves from infancy to old age.”<sup>20</sup> The “FLE/sex education” curricula not only present the experimental construct of “gender identity” as scientific fact, but also hides from students and parents critical information such as that condoms only protect against certain limited sexually transmitted diseases if used properly each time during normal vaginal male-female sexual relations.<sup>21</sup> Many schools have been advocating, training children that oral and anal sodomy are acceptable, even normal, variations of sexual activity and safe if condoms are used properly. In fact, condoms have had a sufficient failure rate when they were tested, so that no condom has ever been approved for the FDA for use in oral or anal sodomy.<sup>22</sup> Now schools are poised to introduce a new gender paradigm comprised of “four parts – biological gender, gender identity (includes transgender), gender role, and sexual orientation (includes heterosexual, bisexual, and homosexual).”<sup>23</sup> This endangers children even further. While those advocating for sex education claimed that it would be the best “step in crime prevention” which states can make,<sup>24</sup> in fact, violent crime has increased exponentially since sex education programs were launched. For example in Illinois, violent crime per capita increased by 754 percent between 1965, when proponents touted sex education as the best crime prevention, and 2011.<sup>25</sup> Now, introducing “gender uncertainty” so that boys can be girls and girls can be boys, and allowing private spaces to be open to all (including pedophiles and pederasts of any age) sex crimes will predictably

increase, not decrease. Violent crime, especially sexual offenses, based on the empirical data, increases as protection afforded by sex-segregated private spaces are, by edict, removed.

Students and school employees across the country will now be compelled to embrace “gender identity” as an “orientation” that is normal and protected against “discrimination.” This is the latest manifestation of the theory, first widely touted by Kinsey, that “children are sexual from birth”<sup>26</sup> and that there should be no boundaries placed upon human sexual behavior. Kinsey’s pansexual worldview has become predominant in academia, law, medicine the media and other cultural institutions. There have been almost 17,000 citations to Kinsey in virtually every scholarly and mainstream publication since 1948 (see chart at Appendix A). This includes more than 700 law review citations for Kinsey and 4,531 academic journal citations containing “Kinsey” and “gender.” (see graph at Appendix B). Sexually radical scholars began setting the stage for the Kinseyan societal transformation almost immediately, calling for wholesale reform in laws, medical protocols and public policy to correspond to Kinsey’s findings. This included calls for re-examination of the age of consent because “.... **at the age of 7 . . . . many** are by endowment and training fully capable of part or exceptionally even full responsibility for sexual behavior....;”<sup>27</sup> “*girls enter the period of sexual awakening as early as the tenth year....;*”<sup>28</sup> “[e]ven at the *age of four or five, [her] seductiveness* may be so powerful as to overwhelm the adult into committing the offense....;”<sup>29</sup> Sexually radical scholars were also calling for the decriminalization of all sexual offenses, claiming that Kinsey’s reports showed that, *inter alia*, “[c]hild molestation is a “relatively minor crime...The “absurdity of enforcing most of our sex laws...should be obvious, *even to the most prudish Neo-Puritans.*”<sup>30</sup> According to these sex change agents even the term “rape” should be abandoned: “[T]he older term “rape” was fraught with negative emotion and [is] unrealistic for this era. . . . ***There is no justification for the perception that the female is a unique creature, harmed in some unique way by untoward sexual behavior.***”<sup>31</sup> Buoyed by Kinsey’s claimed findings and the contemporaneous legal scholarship, the American Law Institute introduced its Model Penal Code of 1955, which incorporated many of these concepts, such as a 10 year old may be the “seducer” in rape,<sup>32</sup> to significantly alter sexual offense laws.<sup>33</sup>

The sexual transformation of society has moved to the public schools where the goal is to train the next generation in “Kinseyan sexology” under multiple :”education” guises, e.g., “family life” “bullying” “diversity” “sex” and myriad constantly changing politically correct masquerades. Now that training is to include the concept of “gender uncertainty,” *i.e.*, that a person’s sex is not limited to male and female, but can be one of any number of combinations based upon any number of factors that change throughout one’s lifetime and might not have anything to do with their biological sex.

## II. ORIGINS OF THE PANSEXUAL TRANSFORMATION OF SOCIETY, PARTICULARLY “GENDER UNCERTAINTY”

In examining the tsunami of “gender uncertainty” flooding into public education, it is important to review the history of the pansexual transformation of society of which the “transgender” movement is merely the latest example. As the American College of Pediatricians has observed:

...When I look at the origins of the transgender movement I find John Money and Harry Benjamin, both bisexuals, who failed to condemn pedophiles, and freely associated with them....When I look at sex education in schools, I see Alfred C. Kinsey, and his colleagues, and I see pansexuality and an embracing of pedophilia, along with bestiality.<sup>34</sup>

**A. “Father” of Sexology Revolution” Alfred Kinsey Created Myths That Children Are Sexual at Birth and Sexuality is Fluid.**

As the promoters of “lgbt History Month” attest, “Alfred Kinsey is known as the father of sexology. His groundbreaking and controversial research on human sexuality profoundly influenced social and cultural values.”<sup>35</sup>



AGE	NO. OF ORGASMS	TIME INVOLVED	AGE	NO. OF ORGASMS	TIME INVOLVED
5 mon.	3	?	11 yr.	11	1 hr.
11 mon.	10	1 hr.	11 yr.	19	1 hr.
11 mon.	14	38 min.	12 yr.	7	3 hr.
2 yr.	{ 7	9 min.	12 yr.	{ 3	3 min.
	{ 11	65 min.		{ 9	2 hr.
2½ yr.	4	2 min.	12 yr.	12	2 hr.
4 yr.	6	5 min.	12 yr.	15	1 hr.
4 yr.	17	10 hr.	13 yr.	7	24 min.
4 yr.	26	24 hr.	13 yr.	8	2½ hr.
7 yr.	7	3 hr.	13 yr.	9	8 hr.
8 yr.	8	2 hr.		{ 3	70 sec.
9 yr.	7	68 min.	13 yr.	{ 11	8 hr.
10 yr.	9	52 min.		{ 26	24 hr.
10 yr.	14	24 hr.	14 yr.	11	4 hr.

Table 34. Examples of multiple orgasm in pre-adolescent males  
Some instances of higher frequencies.

Kinsey’s “reports” of 1948 and 1953<sup>36</sup> are widely credited with launching the sexual revolution and the concepts that sexuality is a fluid concept that exists from birth to death and sexual behavior should be wholly without limitations. Hidden in plain sight amid hundreds of pages of fraudulent statistics and pseudo-scientific discussion are tables 30-34,<sup>37</sup> which document Kinsey’s team’s systematic abuse of infants and children as young as two months old for “orgasm.” Table 34 is reproduced above. Kinsey claimed that these tables proved that children are “sexual from birth,” a mantra that has fueled the pansexual assault of women, children and the family, which now includes imposing “gender uncertainty” on public schools, for 67 years. Kinsey also purported to “scientifically” expose Americans as committing what were then immoral, perverted, illegal sex acts on a regular basis. He depicted this phenomenon in the “Kinsey Scale” (see Appendix C), which has become cited as authoritative worldwide despite the fact that Kinsey concocted this fictional “scale” to support his sexually deviant conclusions.<sup>38</sup> Nevertheless, armed with this scale and “data,” Kinsey’s supporters inaugurated the fields of “sexology” and “sex education.” Kinsey’s “findings” have been used to overthrow Judeo-Christian sexual morality and millennia of human experience in law, health, politics, media, entertainment and behavior. Kinsey-trained “sexperts” first infiltrated and propagandized the “free love” notions in graduate schools, creating Kinseyan clones who then infiltrated colleges via text books, pseudo scholarship and lectures. The ideas became firmly ensconced in academia, making it easy to disseminate into the media, law, social science, medicine, behavioral health

and other cultural institutions, including elementary and secondary schools. Among those who emerged from the Kinsey phenomenon were the architects of “gender” theory: Drs. Harry Benjamin and John Money.

### **B. Kinsey Launches Harry Benjamin’s Career as the “Father of Transsexualism”**

Dr. Harry Benjamin is known as the “Father of Transsexualism”<sup>39</sup> for his popularization of the term in a 1966 book, *The Transsexual Phenomenon*, although the term was recognized as an independent category separate from homosexuality by Dr. David O. Cauldwell by 1949.<sup>40</sup> Benjamin developed what became known as the Harry Benjamin International Association Standards of Care for Gender Identity Disorders, which are still used today.<sup>41</sup> Benjamin’s tenure as the “Father of Transsexualism” began in 1948 when Kinsey referred a patient to Benjamin.<sup>42</sup> Just months after Kinsey’s first book was published, Benjamin wrote a glowing introduction to the 1948, second edition of French jurist and pedophile Rene Guyon’s book, *Ethics of Sexual Acts*. Guyon’s book quoted liberally from Kinsey’s text, presumably having advanced copies.<sup>43</sup> Benjamin’s introduction offers a telling illustration of the underlying worldview of the sexual revolutionaries who are now pushing “gender uncertainty” in the schools:

Writing an introduction to a new edition of a book by Rene Guyon is a signal honor...Guyon’s “message of sexual freedom” is a clarion call to all “victims of anti-sexualism and puritanical terror.” Objections have been raised to this second volume. Surely such objections can be directed only against Guyon’s criticism of our conventional sexual morals, not against the book itself, which is neither immoral nor obscene. But sinister or unintelligent forces are ever ready to impinge upon the freedom of thought and expression.<sup>44</sup>

Quoting to Kinsey’s statistically fraudulent figures *ignoring the serial sexual abuse of infants and children*, Benjamin echoed Kinsey’s misrepresentation of the sexual habits of American men and called for wholesale revision of legal and moral codes based upon Kinsey and Guyon’s fraudulent data:

Unless we want to close our eyes to the truth or imprison ninety-five per cent of our male population, we must completely revise our legal and moral codes. Faced by Guyon’s disconcerting candor (and also by Kinsey’s unimpeachable figures) even the liberal-minded scientist, believing himself quite free of prejudices, may suddenly discover that he too has retained childhood inhibitions and that his reasoning is impaired by some deeply embedded, ecclesiastical taboos and subconscious repressions. It comes probably a jolt to many, even open-minded people, when they realize that chastity cannot be a virtue because it is not a natural state.<sup>45</sup>

Benjamin concluded his tribute to Guyon by predicting that Guyon would rank among the “immortal emancipators of the human race” and that “[t]he present volume contains many building stones upon which to rear a happier world, the world of tomorrow, although it may be generations before the edifice is completed.”<sup>46</sup>

Echoing Kinsey’s conclusion that children are potentially orgasmic, thus sexual from birth, Guyon—the man Benjamin called an “emancipator”—discusses “infantile sexuality” and the



“tragedy of “ignorant and anti-sexual moralists” who repress infants’ sexual pleasure.<sup>47</sup> Guyon recounted numerous instances of young children engaging in masturbation and other sex acts providing pleasure to adults, and bemoaned the fact that such incidents had to remain discreet because of “Western Criticism”<sup>48</sup>

It is that worldview that Benjamin carried forward as he spent 30 years treating patients suffering from “gender dysphoria.”<sup>49</sup> Benjamin developed strategies creating an atmosphere of acceptance that would lead to normalizing the idea that gender is fluid. As he wrote in 1961, “Instead of the conventional two sexes, symbolized by Adam and Eve with their anatomical differences, there may be seven or even more – that is to say, at least seven separate concepts and manifestations of sex, each of more or less vital importance to the individual.”<sup>50</sup> In other words, “gender uncertainty.” However, he noted;

[T]he surgeon’s knife can remove the male organs and also the internal organs of the female, ...not a ‘change of sex,’ but a change of a secondary sex characteristics...<sup>51</sup> “Man is male and woman is female because of his or her genetic inheritance...The Y spells male for the offspring, the X female...”<sup>52</sup> “Sometimes, but not always, the history of transvestites and transsexualists reveals that as young children they were raised, wholly or partly, as if they belonged to the opposite sex. Their sex of rearing was wrong. The boy was brought up as a girl and the girl as a boy (tomboy).”<sup>53</sup>

In his book which popularized the term “trans-sexual,” Benjamin acknowledged that early sexual abuse “can constitute truly corrosive emotional traumata.”<sup>54</sup> Later he said early trauma was often part of the background of homosexuals, prostitutes and those with gender dysphoria.<sup>55</sup> However, he still claimed that “[i]nstead of treating the patient, might it not be wiser and more sensible to treat society educationally so that logic, understanding and compassion might prevail.”<sup>56</sup> Like Kinsey, Benjamin also blamed societal attitudes, and particularly Judeo-Christian principles, instead of early sexual trauma and mental illness for the distress suffered by homosexuals and “transsexuals.”

### **C. John Money Pioneered Genital Mutilation as “Sex Reassignment,” Pedophilia as Natural, and Pornography as Sex Education.**

Kinsey’s and Benjamin’s animus for Judeo-Christian sexual mores was shared by Dr. John Money of Johns Hopkins University. In fact, Money is described as hating Judeo-Christian, “repressive religious structures...the anti-masturbatory, anti-sexual fervor.”<sup>57</sup> Kinsey’s pseudo-scientific sex data “which removed even the most outlandish practices from moral consideration and placed them in the ‘pure’ realm of scientific enquiry, was for Money an emancipation.”<sup>58</sup> Money’s “emancipated” sexual worldview led to coining the term “gender identity” to describe a person’s inner sense of himself or herself as male or female and becoming the world’s undisputed authority on psychological ramifications of ambiguous genitalia.<sup>59</sup> Money pioneered a theory that with surgery, behavioral modification and hormones sex could be redefined<sup>60</sup> and as part of that theory established the Johns Hopkins clinic for transsexual surgeries.<sup>61</sup> He was celebrated in his home country of New Zealand as:

[T]he world’s leading successor to Freud, Kinsey and Masters and Johnson...His work has formed a basis for decades of work by American pediatricians...He was

a cornerstone of 1970s feminism and gay rights liberation and he is still championed as a hero by liberal movements. He has been on the leading edge of sex research for decades ...chang[ing] the face of sex research, blazing new pathways for future scientists and sexologists...<sup>62</sup>

### **1. Money Coins the Terms “Gender Role” and “Gender Identity.”**

Among the new pathways Money blazed occurred in 1955 when he coined the term “gender role” to overcome the confusion between “the sex of the genitalia and their activities [and] the nonerotic and nongenital sex roles and activities that are prescribed culturally and historically.”<sup>63</sup> He later bragged that “I was the first person to use the term, gender role, in print, and certainly the first person to define it in print.”<sup>64</sup> By 1967 there were two terms—“gender role” and “gender identity.”<sup>65</sup> Money used “gender role” to refer to the empirically observable behavior and “gender identity” to refer to psychological beliefs.<sup>66</sup> Money defined “gender identity” as:

The sameness, unity and persistence of one’s individuality as male, female (or ambivalent), to a greater or lesser degree, especially as experienced in self-awareness and behavior. Gender identity is the private experience of gender role and gender role is the public expression of gender identity.<sup>67</sup>

Again, like Benjamin, Money was espousing the “gender uncertainty” that schools are now trying to foist upon young children. Just as Kinsey extrapolated information gathered from deviant populations to conclude that all men and women regularly engaged in deviant sexual behavior, Money extrapolated information he obtained from studying intersex<sup>68</sup> infants to conclude that all newborns were psychosexual blank states.<sup>69</sup> He wrote:

[T]he conclusion that emerges is that sexual behavior and orientation as male or female does not have an innate, instinctive basis. In place of a theory of instinctive masculinity or femininity which is innate, the evidence of hermaphroditism lends support to a conception that, psychologically, sexuality is undifferentiated at birth and that it becomes differentiated as masculine or feminine in the course of the various experiences of growing up.<sup>70</sup>

### **2. Money “Toys” With Sex Reassignment on Infants**

Many years later, Money described the process he used to arrive at his conclusions: “I frequently find myself toying with concepts and working out potential hypotheses. It is like playing a game of science fiction.”<sup>71</sup> Money’s game was in fact quite serious, as he developed medical protocols based upon the concept that children are psychosexually neutral at birth so that if they are born with ambiguous genitalia they can be surgically altered and raised to correspond to their altered genitalia.<sup>72</sup> Under the protocols developed by Money and his team, boys born with small or “ambiguous” genitals were often surgically “changed into girls.”<sup>73</sup> Doctors determined that a penis had to be large enough for a little boy to urinate standing up, and if it was not, then they recommended that the penis be removed and a clitoris and vagina be formed.<sup>74</sup> This had become a standard protocol for infants with “ambiguous” genitalia, but had not been tried on a child born with normal genitalia.<sup>75</sup>

That changed in 1967 when Money treated Bruce Reimer, who was one of twin boys born with anatomically normally genitalia in 1965, but whose penis had been destroyed in a botched circumcision.<sup>76</sup> Bruce’s parents had been told there was nothing they could do for their

son; then they saw Dr. Money on television and contacted him.<sup>77</sup> Dr. Money recommended that Bruce be castrated and re-assigned to be a girl.<sup>78</sup> Money assured the parents that similar operations had been done successfully and that Bruce would easily accept his female anatomy. In fact none had been done on boys who had been born with normal genitalia.<sup>79</sup> Bruce's name was changed to "Brenda" and his parents, urged by Money, attempted to raise him as a girl.<sup>80</sup> Dr. Money required regular follow-up visits that included Bruce/Brenda and during which Money spoke to the children explicitly about sex and about their genitalia.<sup>81</sup> The interviews turned into pornographic viewings and recordings.<sup>82</sup> Money required that the children remove their clothes and inspect each other's genitals, often screaming at them to remove their clothes until they were afraid of being beaten and complied, standing naked in front of Money and each other, "shaking."<sup>83</sup> Beginning at age six, Money would make Bruce/Brenda:

...assume a position on all fours on his office sofa and make Brian come up behind her on his knees and place his crotch against her buttocks" [and make thrusting motions simulating sexual contact].<sup>84</sup> "Variations on the therapy included Brenda lying on her back with her legs spread and Brian lying on top of her. On at least one occasion, Brian says, Dr. Money took a Polaroid photograph of them while they were engaged in this part of the therapy."<sup>85</sup>

Money also showed the twins pornographic images, telling them that he wanted to "show you pictures of things that moms and dad do."<sup>86</sup> Despite Money's insistence, Bruce did not adjust to being a girl, and by 1980 his psychological and emotional distress convinced his parents to reveal the truth. Bruce then transitioned back to his true gender, calling himself David.<sup>87</sup> He married and helped parent his wife's children from a prior marriage, but the trauma he and his brother suffered took its toll and they both killed themselves within weeks of each other.<sup>88</sup> Money, however, persisted in presenting his experimentation on the Reimer twins as a successful demonstration of sex re-assignment in young children, and his version of the story was widely touted and quoted as proof of gender fluidity.<sup>89</sup>

### **3. Money Promotes Pornography as Sex Education**

As demonstrated by Money's meetings with the Reimer twins, his theories stretched beyond "gender identity" to promoting pornography as a form of sex education, presaging what has now become mainstream in United States classrooms:

One of his theories of how children form their different *gender schemas*-Money's term-was that they must understand at a very early age the differences between male and female sex organs. Pornography, he believed, was ideal for this purpose. "[E]xplicit sexual pictures," he wrote in his book *Sexual Signatures*, "can and should be used as part of a child's sex education." Such pictures, he said "reinforce his or her own gender identity/role."<sup>90</sup>

### **4. Money Advocates to Normalize Pedophilia**

Money also advocated for normalization of pedophilia, like Kinsey and Benjamin, arguing that child sexual abuse should be de-criminalized. In 1980, *Time* magazine quoted Money as saying, "A childhood sexual experience, such as being the partner of a relative or of an older person, need not necessarily affect the child adversely."<sup>91</sup> In an interview with the *Journal of Paedophilia*, Money said:

If I were to see the case of a boy aged ten or eleven who's intensely erotically attracted toward a man in his twenties or thirties, if the relationship is totally mutual, and the bonding is genuinely totally mutual...then **I would not call it pathological in any way.**<sup>92</sup>

He bemoaned what he saw as a “major attack on childhood sexuality” and called efforts to prohibit children from engaging in sexual activity as “really a diabolically clever ploy to establish anti-sexualism on a big scale.”<sup>93</sup> In discussing the concept of “consent” he used the example of a sado-masochistic “couple,” who make a death pact, indicating it should be legal as long as there was “consent.” When asked whether he would attack the whole basis from which age of consent laws are constructed, he said, “I certainly think that's where we have to begin.”<sup>94</sup> Money also said that he would never report anybody for pedophilia.<sup>95</sup>

#### **D. June Reinisch: Money's Protégé Studied Gender Characteristics in Utero**

Money “originated the concept of gender identity (the inner feeling of being male or female) as distinct from gender roles (outward masculine or feminine behavior),”<sup>96</sup> and tested his theories on newborns and toddlers, including Bruce/David Reimer. His protégé June Reinisch, who later became the director of the Kinsey Institute at Indiana University, took the next step to study “gender identity” in utero.<sup>97</sup> Reinisch was intrigued by Money's research, and particularly by its suggestion that exposing females in utero to male hormones might make them “tomboyish.”<sup>98</sup> Reinisch began doctoral studies under Money's supervision.

For her dissertation, she looked at 42 children whose mothers had been given steroid hormones during pregnancy. Each of the children had a sibling who had not been exposed to the hormones, and she used them as a comparison group. She found significant personality differences. The youngsters who had been exposed to progestins (which act like male hormones) scored consistently higher on traits considered masculine than their siblings of the same sex did. ...Youngsters who had been exposed to estrogens, particularly synthetic diethylstilbestrol (DES), which acts like a female hormone, scored higher on feminine characteristics.<sup>99</sup>

Many of the mothers whose children were studied were not informed that they were given hormones, but were told that they were taking vitamins. Furthermore, the prenatal exposure to hormones, particularly to DES, has been shown to lead to higher rates of breast cancer and other health risks for the mothers and their daughters.<sup>100</sup> This experiment was never investigated for ethics and other violations.

#### **E. Benjamin's and Money's Theories are Still Standard Protocols**

Despite evidence that their “sex reassignment” techniques were not effective, Benjamin and Money's theories are still regarded as authoritative for those seeking to transform the culture. When the Johns Hopkins clinic Money started was closed, Benjamin and Money recruited mutual friend Dr. Paul Walker to carry on the work.<sup>101</sup> Walker founded the Harry Benjamin International Gender Dysphoria Association and drafted the “Benjamin standards of care.”<sup>102</sup> Many of Money's protocols are still widely followed, particularly guidelines for “re-assigning gender” if a child's genitalia does not meet certain standards.<sup>103</sup> “Current guidelines dictate that to be assigned a boy, the child must have a penis longer than 2.5 centimeters; a girl's clitoris is surgically reduced if it exceeds 1 centimeter. Money had, in a single stroke, offered

physicians a relatively simple solution to ... how to deal with the ... birth of an intersexual child.”<sup>104</sup> About 20 surgeons in the United States continue to perform “sex reassignment” surgery pioneered by Money, purportedly using the standards named after Benjamin,<sup>105</sup> who continues to be regarded as the pre-eminent authority on “gender identity” treatment.<sup>106</sup>

### **III. “GENDER UNCERTAINTY” INVADES SCHOOLS DESPITE PROOF THAT KINSEY’S, BENJAMIN’S AND MONEY’S THEORIES ARE FRAUDULENT AND HARMFUL.**

Kinsey’s, Benjamin’s and Money’s theories have been discredited<sup>107</sup> as studies have established that “sex change” is biologically impossible, and efforts to medically and surgically “re-assign sex” is to collaborate with and promote instead of prevent and treat a mental disorder.<sup>108</sup> Nevertheless, efforts to normalize “gender uncertainty” and provide medical intervention and increased “civil rights” protections to those who say they identify as the gender opposite to their biological sex are on the rise, including in public schools. Why? “The idea that one’s sex is fluid and a matter open to choice runs unquestioned through our culture and is reflected everywhere in the media, the theater, the classroom, and in many medical clinics.”<sup>109</sup> That idea might be ubiquitous, but it is as fraudulent as the emperor’s new clothes, and significantly more dangerous to health, safety and welfare.

#### **A. Johns Hopkins Stops Surgeries on Adults After 1979 Investigation Shows No Improvement.**

A 1979 investigation of Money’s clinic at Johns Hopkins revealed that “sex reassignment surgery” did not lessen the psycho-social problems of adults who identified as “transgender,” and the clinic, along with other university based clinics, stopped performing the surgeries.<sup>110</sup> Dr. Paul McHugh, the chief psychiatrist at Johns Hopkins Hospital who requested the study, said the research found that adult recipients of “sex reassignment surgery”... “had much the same problems with relationships, work, and emotions as before. The hope that they would emerge now from their emotional difficulties to flourish psychologically had not been fulfilled.”<sup>111</sup>

We saw the results as demonstrating that just as these men enjoyed cross-dressing as women before the operation so they enjoyed cross-living after it. But they were no better in their psychological integration or any easier to live with. With these facts in hand I concluded that Hopkins was fundamentally cooperating with a mental illness. We psychiatrists, I thought, would do better to concentrate on trying to fix their minds and not their genitalia.<sup>112</sup>

Based upon that study, Johns Hopkins discontinued adult sex re-assignment surgery in 1979.<sup>113</sup>

#### **B. Johns Hopkins Discontinues Infant Sex-Reassignment After 2004 Study Shows It Is Not Supported by Science.**

Dr. McHugh also requested an investigation of the infant sex-reassignment surgeries such as the one performed on Bruce Reimer.<sup>114</sup> The long-term study of male infants who had genital abnormalities and whose parents were persuaded to surgically “remake” them and raise them as girls showed many of the same unfortunate consequences as encountered by Bruce Reimer.<sup>115</sup>

The study conducted by Dr. William Reiner tracked 16 children who had been exposed to testosterone in utero, but whose genitalia were malformed at birth.<sup>116</sup> As was true in Bruce Reimer's case, doctors followed Money's theory of sexual neutrality at birth and convinced the parents to surgically remove the male genitalia, construct female genitalia and raise the children as girls.<sup>117</sup>

Reiner, however, discovered that such re-engineered males were almost never comfortable as females once they became aware of themselves and the world. From the start of their active play life, they behaved spontaneously like boys and were obviously different from their sisters and other girls, enjoying rough-and-tumble games but not dolls and "playing house." Later on, most of those individuals who learned that they were actually genetic males wished to reconstitute their lives as males (some even asked for surgical reconstruction and male hormone replacement)—and all this despite the earnest efforts by their parents to treat them as girls.<sup>118</sup>

"Reiner concluded from this work that the sexual identity followed the genetic constitution. Male-type tendencies (vigorous play, sexual arousal by females, and physical aggressiveness) followed the testosterone-rich intrauterine fetal development of the people he studied, regardless of efforts to socialize them as females after birth."<sup>119</sup> As a result of the two studies, Dr. McHugh and his colleagues concluded that "human sexual identity is mostly built into our constitution by the genes we inherit and the embryogenesis we undergo."<sup>120</sup>

The sense of disquiet in one's sexual role—known as "sexual dysphoria"—can occur in males raised as females in an effort to correct an infantile genital abnormality or can be "socially induced in apparently constitutionally normal males, in association with (and presumably prompted by) serious behavioral aberrations, amongst which are conflicted homosexual orientations and the remarkable male deviation now called autogynephilia."<sup>121</sup>

So, by 2004, Johns Hopkins, Money's professional home, had determined that the sex re-assignment surgery he pioneered was not supported by sound psychiatric evidence and should be discontinued.<sup>122</sup>

### **C. Studies Confirm that "Gender Identity Disorder" and Other Manifestations of "Gender Uncertainty" Are Psychological Disorders, Not Biologically Based.**

Subsequent studies have confirmed the sanity, or wisdom of Dr. McHugh's actions, finding that just as there is no evidence of a "gay gene,"<sup>123</sup> there is also no evidence that "gender identity disorder" is an innate condition justifying drastic medical intervention such as hormonal treatments and genital mutilation.<sup>124</sup> Scientists have determined that "[a] baby is conceived genetically male or female. Prenatal brain development is influenced by the same hormones that trigger the development of the reproductive organs."<sup>125</sup> "The sex of each individual is encoded in the genes—XX if female, XY if male."<sup>126</sup> Indeed, since Drs. Benjamin and Money developed their theories, the biotechnology revolution has given researchers the ability to scrutinize and map DNA.<sup>127</sup> This mapping has proven that there are distinct "male" and "female" blueprints created from the moment of conception.<sup>128</sup> "The striking quantity and diversity of sex-related influences

on brain function indicate that the still widespread assumption that sex influences are negligible cannot be justified and probably retards progress in our field.”<sup>129</sup> In fact, scientists now know that the DNA blueprint for a male versus a female brain is established eight weeks after conception.<sup>130</sup> The hormonal changes that create a male versus a female brain are permanently determined at that time, in utero, even though many of the effects will not manifest until puberty.<sup>131</sup> Therefore, contrary to Dr. Money’s theory, still being followed by those seeking to transform the culture, “we’re not psychological hermaphrodites at birth, potentially masculine or feminine—we are wired for one or the other in the womb.”<sup>132</sup> Consequently, as Dr. McHugh’s studies found, those who express a sense of “disquiet” between their biological sex and their “sexual identity” are suffering from a mental disorder, not an innate abnormality, and should be treated with therapy, not with medical, surgical mutilation as intervention.

Similarly, long-term studies of children have found that “gender identity disorder” or “GID” is the result of dysfunctional family relationships creating anxiety in an emotionally vulnerable child.<sup>133</sup> “When anxiety occurs at such a sensitive developmental period, the child may choose behaviors common to the other sex, because in his mind these will make him more secure or more valued.”<sup>134</sup> Often the child is complimented or otherwise affirmed for his cross-gender behaviors, which feeds the idea that the child would be socially accepted and happy if he could become the other gender.<sup>135</sup> “[T]hese are not happy, well-adjusted boys who just happen to think they are girls. They are troubled children from troubled homes.”<sup>136</sup> Studies show that at least 40 percent, and in some cases as many as 60 percent of those who seek hormonal treatments and “sex reassignment surgery” have been abused as children.<sup>137</sup> Scientists working with such children have found “that a sizeable number of children and their families achieve a great deal of change. In these cases, the gender identity disorder resolves fully.”<sup>138</sup>

Despite advocates’ narrative that gender is fluid and therefore that a person should be permitted to “transition” from one sex to another, in fact, the evidence shows that “[i]t is physiologically impossible to change a person’s sex.”<sup>139</sup>

Surgery can only create the appearance of the other sex. George Burou, a Casablanca physician who has operated on over seven hundred American men, explained, “I don’t change men into women. I transform male genitals into genitals that have a female aspect. All the rest is in the patient’s mind.”<sup>140</sup>

However, once the hormone treatments and surgeries are completed, patients rarely get the psychological therapy they need and the mental health issues remain, as shown in two European studies which tracked patients who received sex reassignment surgery.

#### **D. 2011 Studies in the Netherlands and Sweden Show Post-Sex Reassignment Surgery Patients Exhibit Increased Mental Illness and Premature Death.**

Scientific study after study continue to confirm the obvious, empirically observed facts since recorded history; disturbed people see themselves as being “in the wrong body.” In 2011 studies in the Netherlands and Sweden showed that those who underwent sex reassignment surgery and hormone treatments had increased mental illness and a much higher than average rate of premature death. The Netherlands study followed patients at a university gender clinic for an average of 18.5 years.<sup>141</sup> The study found that the patients “total mortality was 51% higher

than in the general population, mainly from increased mortality rates due to suicide, acquired immunodeficiency syndrome, cardiovascular disease, drug abuse, and unknown cause.”<sup>142</sup> The study by the Karolinska Institute in Sweden followed 324 people who had sex-reassignment surgery for up to 30 years.<sup>143</sup> It was the “first nationwide population-based, long-term follow-up of sex-reassigned transsexual persons.”<sup>144</sup> The study found “[m]ortality from suicide was strikingly high among sex-reassigned persons, also after adjustment for prior psychiatric morbidity.”<sup>145</sup> The study found significantly higher rates of in-patient psychiatric hospitalizations, even when accounting for pre-existing psychiatric problems.<sup>146</sup>

Vanderbilt University and London's Portman Clinic tracked children who reported transgender feelings but who did not undergo medical or surgical treatment. In both cases, 70 to 80 percent of the children spontaneously lost those feelings.<sup>147</sup>

Also of note is the fact that one of the major studies used by researchers as evidence of the number of non-heterosexual youth, the National Longitudinal Study of Adolescent Health (Add Health), has been called into question.<sup>148</sup> Researchers reviewing the long-term study found that 80 percent of boys and 50 percent of girls who reported that they had at least some same-sex attractions when they were teenagers said they were only attracted to the opposite sex by their late 20s.<sup>149</sup> After examining various explanations for the significant changes, researchers concluded that the changes were due to “by-and-large, heterosexual adolescents who were either confused and did not understand the measure of romantic attraction or jokesters who decided, for reasons we were not able to detect, to dishonestly report their sexuality.”<sup>150</sup> Consequently, figures adduced by the Add Health studies, that about 7 percent of boys and 5 percent of girls have same-sex attractions, as well as conclusions derived from those figures, should be questioned.<sup>151</sup>

This validates Dr. McHugh’s observation that, “[g]iven that close to 80% of such children would abandon their confusion and grow naturally into adult life if untreated, these medical interventions come close to child abuse. A better way to help these children: with devoted parenting.”<sup>152</sup>

#### **IV. EDUCATIONAL PROFESSIONALS AND SOCIETAL CHANGE AGENTS ESCHEW DISCREDITED RESEARCH AND EVIDENCE OF HARM TO IMPOSE “GENDER UNCERTAINTY” ON VULNERABLE STUDENTS.**

Devoted parenting is nowhere on the radar screen of those seeking to ratchet up the sexual transformation agenda to flood developing minds with discordant concepts that the self-identified sexperts cannot fully define. Despite warnings from Dr. McHugh and others who have documented the harmful effects of the “gender identity” myth, educational “experts” are forging ahead with the next phase of their sexual indoctrination efforts in the public schools—“gender uncertainty.” This latest effort is the most potentially dangerous of all as it denies the reality of the natural created order of human beings as either male or female, determined in utero,<sup>153</sup> and replaces it with uncertainty and chaos.



### **A. Children Are Being Asked to Embrace Concepts That Even Advocates Do Not and Cannot Objectively Define.**

Advocates who have chosen to deny biological reality and replace it with undefined, ever-changing terms are now seeking to foist that “gender uncertainty” on public school students. The American College of Obstetrics and Gynecology acknowledges that there is no universally accepted definition of the word “transgender” because of the lack of agreement of what groups of people are considered “transgender.”<sup>154</sup> Transgender advocates themselves say that “transgender” is an amorphous term. While “transgender” was initially used to describe people who fell between genders and who did not want surgical intervention to “change sex,” “today, it is an umbrella term that encompasses a wide range of people whose gender identity or expression may not match the sex they were assigned at birth.”<sup>155</sup> In fact, “transgender” and “gender non-conforming” are used “to cover hundreds of gender identities, histories, experiences, and expressions.”<sup>156</sup> Lawyer Shannon Price Minter writes:

I use transgender as an umbrella term including transsexuals, transvestites, cross-dressers, drag queens and drag kings, butch and femme lesbians, feminine gay men, intersex people, bigendered people, and others who ... challenge the boundaries of sex and gender.<sup>157</sup>

Challenging boundaries might be exciting for adults who know the boundaries and can process risks associated with the challenge. However, it is traumatic and harmful for children who have just begun to understand the concepts of “boy” and “girl” and realize that they are one or the other.<sup>158</sup> As Dr. McHugh said, subjecting children to such psychological turmoil is tantamount to child abuse.<sup>159</sup>

### **B. DOE and DOJ Bully School Districts Into Accepting “Gender Uncertainty” While Also Acknowledging the Dangers of Teachers and Coaches as Sexual Predators.**

Despite Dr. McHugh’s conclusions and medical advances that have discredited the “gender identity” meme, the U.S. Department of Education has jumped onto the “gender uncertainty” bandwagon by threatening to withhold federal funding if school districts do not fall in line with the false narrative. Federal non-discrimination statutes do not include sexual orientation or “gender identity,” but DOE and DOJ have granted them protected status by extrapolating from Supreme Court rulings regarding sex roles and sex stereotyping. School districts are being bullied by the DOE and DOJ, which are employing tactics similar to those that DOJ has used to compel employers to add “gender identity” to non-discrimination policies under Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment on the basis of race, color, religion, sex or national origin. 42 U.S.C. §2000e-2. Congress added the term “sex” to Title VII by amendment without discussion, and has on several occasions refused to amend Title VII’s provisions to include sexual orientation, transsexualism or other concepts beyond the biological definition of sex as male and female.<sup>160</sup> Federal appeals courts have consistently held that Title VII’s prohibition against discrimination on the basis of sex does not include transsexuals.<sup>161</sup> In fact, Chief Judge of the Seventh Circuit Court of Appeals, Richard Posner, wrote that “Transsexuals are not a third sex protected by the laws against sex discrimination.”<sup>162,163</sup>

Nevertheless, the Equal Employment Opportunity Commission (“EEOC”), the federal agency tasked with enforcing Title VII, has determined that “intentional discrimination against a transgender individual because that person is transgender is, by definition, discrimination ‘based on . . . sex,’ and such discrimination therefore violates Title VII,” in the context of federal sector employment,<sup>164</sup> based solely on commissioners’ interpretation of language in judicial decisions to fit the desired outcome. The Commission determined that “transgenderism” is a protected class in employment based upon a Supreme Court decision which recognized that employment discrimination based on “sex stereotypes” (*i.e.*, assumptions and/or expectations about how persons of a certain sex should dress, behave, etc.) is unlawful sex discrimination under Title VII.<sup>165</sup> With no statutory or judicial precedent to support its determination, the EEOC decided that “sex stereotyping” is the same as “transgenderism” under the law and therefore that Title VII can be expanded to include discrimination against “transgenderism.”<sup>166</sup> Similarly, the EEOC ordered the Army to pay damages for discriminating against an employee who was born a male and underwent “sex reassignment surgery,”<sup>167</sup> finding that the employee had been sexually harassed because he was asked to use a single stall executive restroom and because people referred to him using male pronouns at least seven times.<sup>168</sup>

Just as Title VII protects against sex-based discrimination in employment, Title IX of the Education Amendments Act of 1972 protects against discrimination on the basis of sex in the academic environment: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. §1681(a). As is true with Title VII, federal courts have not expanded the reach of Title IX to cover discrimination on the basis of “gender identity,” but, as is true in the employment context, federal agencies still assert that “gender identity” must be added to non-discrimination policies if schools do not want to lose federal funds. Ironically, the push for “gender identity” in school policies actually facilitates creation of the very hostile learning environments that Title IX was enacted to alleviate.

A federal district court noted the paucity of precedent for including “gender identity” as a protected class under Title IX and found that a university’s policy of sex separate bathrooms did not violate a transgender student’s rights.<sup>169</sup>

Title IX does not prohibit discrimination on the basis of transgender itself because transgender is not a protected characteristic under the statute. The Court has found no federal court case that has squarely decided this issue in the Title IX context. However, nearly every federal court that has considered the question in the Title VII context has found that transgendered individuals are not a protected class under Title VII.<sup>170</sup>

Nevertheless, current federal agencies, DOE and DOJ insist that schools receiving federal funds must include “gender identity” as a protected class. In guidelines for school Title IX coordinators dated April 2015, DOE states, without attribution, that “Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.”<sup>171</sup> The DOJ similarly asserts that Title IX protections include “gender identity” in a “Statement of Interest” it submitted in support of a transgender high school student’s claim that the school district’s policy requiring that students

use restrooms designated for their sex at birth discriminates on the basis of gender identity in violation of Title IX.<sup>172</sup> The DOJ asserted that Title IX “protects all persons, including transgender students, from sex discrimination.”<sup>173</sup> DOJ also argued that “[t]he term “sex” as it is used in Title IX is broad and encompasses gender identity, including transgender status.”<sup>174</sup> DOJ did not cite to any precedent explicitly including “gender identity” as a protected class, but as it did with Title VII, extrapolated the expansion of the law from cases finding that sex discrimination included discrimination based upon sex stereotyping.<sup>175</sup> The court however, rejected the DOJ’s arguments and dismissed the Title IX claim.<sup>176</sup>

DOE and DOJ’s insistence that Title IX includes “gender identity” as a protected class is not only wholly unsubstantiated by precedent, but also actually facilitates creation of the very kind of hostile learning environment the agencies are supposed to be protecting against. DOE explains that sex-based discrimination under Title IX includes sexual harassment, which is defined as conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student’s ability to participate in or benefit from a school’s education program.<sup>177</sup> As well as including overt sexual advances, images or words, sexual harassment also includes creation of a “hostile environment that is sufficiently serious to deny or limit a student’s ability to participate in or benefit from the school’s program.”<sup>178</sup>

Examples include the presence of pictures, objects or gestures, or past or present actions that make it difficult or impossible for a student to concentrate on his studies or create fear so that a student cannot attend class.<sup>179</sup> The DOE also cautions schools that they must provide a safe and nondiscriminatory environment for **all** students.<sup>180</sup> Requiring that schools include “gender identity” in their non-discrimination policies, but yet provide a safe and nondiscriminatory environment imposes a Hobson’s choice upon school districts. Cases challenging school policies as discriminatory against transgender students have predominantly involved access to sex-segregated restrooms and locker rooms, as well as accommodating requested changes in name and attire.<sup>181</sup> In order to satisfy transgender students’ requests to use facilities designated for their “gender identity” instead of their birth sex will in some cases mean that individuals who have male features, including genitalia, but who “identify” as female will have to be permitted to use the girl’s restroom or locker room.<sup>182</sup> While that will allegedly make the school environment less hostile to the “transgender” student, on the other hand, it certainly will make it more hostile to girls who do not feel safe undressing and using the restroom for private, excretory activities, in the same environment as male students with male bodies/organs and vice versa.

Schools will not be able to provide a safe environment for all students. In fact, attempting to redefine gender and disassociate it from its physical manifestations actually creates an environment that is more harmful to students than is an environment in which the physical manifestations of sex and gender are unified.<sup>183</sup> Overwhelming evidence, again, shows the obvious; that children are actually put at risk when schools encourage them to identify themselves as gay or transgender at an early age.<sup>184</sup> In fact, for each year children delay labeling themselves as LGBT, their suicide risk is reduced by 20 percent.<sup>185</sup> In addition, studies have shown that up to 94 percent of children who identify as “transgender” in adolescence grow out of their desire to change genders if they are not pressured by society to undergo the treatment.<sup>186</sup>

In its biennial report to the President and Secretary of Education, the DOE Office of Civil Rights (“OCR”) reported that it resolved 90 investigations of sexual violence in elementary, secondary and postsecondary schools in fiscal years 2013-14.<sup>187</sup> DOE reported that OCR’s

compliance reviews related to sexual violence made up 19 percent of the total number of compliance reviews. Also 9 percent of all of OCR's complaints were Title IX sexual violence complaints.<sup>188</sup> The OCR did not describe how many of these assaults involved teachers, coaches and other trusted school employees, but the DOE knows that such assaults are significant issues in elementary and secondary schools.<sup>189</sup> In a 2004 study prepared for the DOE, Dr. Carol Shakeshaft surveyed existing studies regarding teacher on student sexual misconduct and found that that 9.6 percent of all students in grades 8 to 11 reported "unwanted" contact and/or noncontact educator sexual misconduct.<sup>190</sup> That means that in 2004 more than 4.5 million students were subject to sexual misconduct by an employee of a school sometime between kindergarten and 12th grade.<sup>191</sup>

Consequently, DOE recognizes that children are at risk of sexual harassment, bullying and abuse from teachers, coaches and other staff. However, it still pressures schools to expand the sexually charged environment by requiring not only training in oral and anal sodomy under the guise of "bullying" or "AIDS" prevention, but also instruction in "gender fluidity," "gender identity" and "gender expression," which necessitate additional discussion of sexual organs and feelings. *i.e.* additional opportunity to desensitize young minds and make them more vulnerable to exploitation. The DOE report noted that educators who sexually bully, harass and abuse children engage in "grooming" by making students comfortable with sexual discussions and touching before engaging in more overt behaviors.<sup>192</sup> Children cannot normally discern when sex "discussions" have slipped over the line into sexual grooming and manipulation for the sexual pleasure/arousal of the teacher or other adult. Coercing school districts to include additional sexual materials in the school environment facilitates this grooming for those employees who might be predisposed to such activities. Rather than preventing sexual abuse, DOE is actually encouraging and facilitating it. In addition, by coercing schools to add "gender identity" to non-discrimination policies, and specifically forcing districts to open up private spaces to those who "identify" as a particular gender regardless of their sex at birth<sup>193</sup> provides potential predators with greater access to potential victims as they are less likely to be questioned for being in the "wrong bathroom" for fear of being accused of discrimination.

The DOE and DOJ's bullying of school districts also places students at greater risk for assault by fellow students. Dr. Shakeshaft's report found that 79 percent of the sexual misconduct reported at elementary and secondary schools involved student perpetrators and student victims.<sup>194</sup> By compelling schools to open their bathrooms and locker rooms to students who are biologically one sex but "identify" as another gives students who want to act out what they learn in sex education on fellow students easier access to potential victims. Again, those wanting to act out will have less fear of being disciplined for being in the wrong bathroom since fellow students will be hesitant to report them for fear of being accused of discrimination or simply because they are unsure of their instincts; their instinct of danger being commonly the only skill children possess in the face of potential predation.

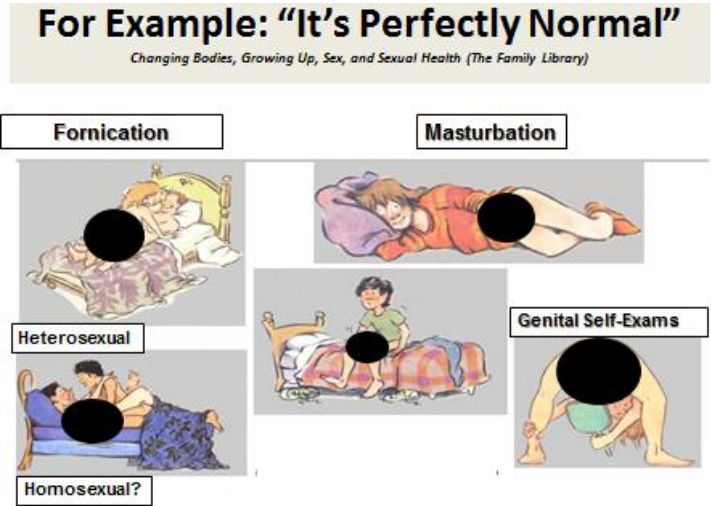
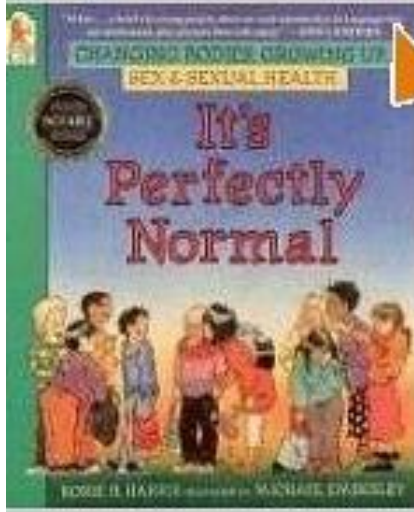
Tragically, the very organizations and individuals who are obligated to protect children from sexual exploitation and assault—schools and governmental agencies—are actually creating the very kind of toxic and hostile learning environment that they are obligated to prevent.

### **C. “Gender Uncertainty” is Being Added to a Sexualized Learning Environment that is Pervasive and Part of an Orchestrated Effort to Indoctrinate Children.**

That toxic and hostile learning environment is not merely in the “sex education” or “family life education” classes, but permeates the entire learning environment. The ubiquity of sexually charged pedagogy is by design. Advocates such as the National Education Association in the 1970s pushed for “comprehensive sex education” under the guise of preventing unplanned pregnancies and sexually transmitted diseases, both of which have subsequently skyrocketed. Their true agenda is to indoctrinate children with pansexuality, particularly with the idea that gender is fluid and should not be restricted to “outdated” binary concepts.<sup>195</sup> In March 2010, NEA representative Diane Schneider spoke at a panel on combating “homophobia” and “transphobia,” at the United Nations Commission on the Status of Women saying, “Oral sex, masturbation, and orgasms need to be taught in education.”<sup>196</sup> Schneider said that “sex education” is an oxymoron if it is based upon abstinence or if students can opt out.<sup>197</sup> Comprehensive sex education is “the only way to combat heterosexism and gender conformity, and we must make these issues a part of every middle and high-school student’s agenda.”<sup>198</sup> Using language that is now being echoed in classrooms nationwide, Schneider told the UN that “[g]ender identity expression and sexual orientation are a spectrum.”<sup>199</sup> Those opposed to homosexuality “are stuck in a binary box that religion and family create.”<sup>200</sup>

Elementary and secondary schools have adopted and are adopting the latest manifestation of the pansexual agenda and following Schneider’s recommendations not merely in the “sex education” curriculum, but throughout the pedagogical environment. In this way, those seeking to transform the culture beginning in elementary school can ensure that the “binary box” is fully obliterated by guaranteeing that even students who opt out of the “sex education” classes or otherwise object to the idea of “gender uncertainty” are saturated in the pansexual worldview. As well as adopting explicit “sex education” curriculum developed by Planned Parenthood, the Gay Lesbian Straight Education Network (“GLSEN”), Parents and Friends of Lesbians and Gays (“PFLAG”) and others (see example below), schools have used resources specifically designed to train children that all manner of sexual activity is normal and beneficial, and that gender is a spectrum that is not fixed at birth, buoyed now by the inclusion of “gender uncertainty” in school policies and curriculum.<sup>201</sup>

These sexually-charged materials do not only traumatize many students, but also affect teachers who are arguably aroused by the explicit images of nude children and adults, sexual positions and other imagery. The fallout from this arousal is seen in the astronomical increase in reports of educators involved with child pornography and/or sexual assault of children. Some examples of this catastrophic phenomenon are detailed below. Adding “gender confusion” to the mix and removing the protections of sex-separate private spaces will exacerbate the problems.



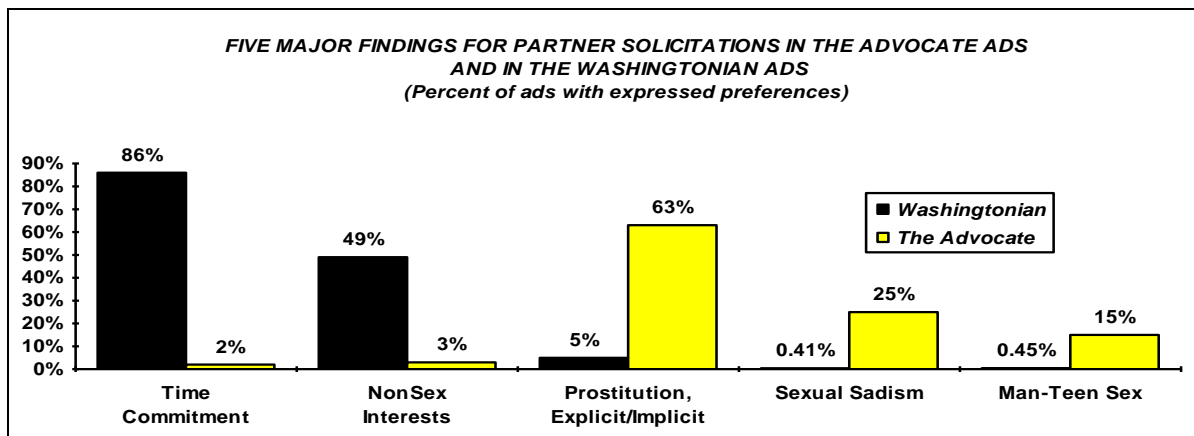
School officials have been aided by a comprehensive “how-to-do-it manual for librarians,” *Serving Lesbian, Gay, Bisexual, Transgender, and Questioning Teens*, published by the American Library Association.<sup>202</sup> The “how to” book reminds librarians that their obligation is to “represent an entire community, and this includes teenagers. It also includes queer and questioning teens, who are everywhere.”<sup>203</sup> Librarians are also encouraged to build the collection they feel they need and then deal with any controversy later.<sup>204</sup> They are encouraged to capitalize on their “expansive” role by creating LGBTQ-themed programs that will guide students to the “queer” materials, and engaging “LGBTQ booktalks” in which they not only present LGBTQ titles, but also “embed LGBTQ characters and themes within an already exciting plot that’s guaranteed to hook readers.”<sup>205</sup> Librarians are reminded that “LGBTQ books are great books that everyone should read.”<sup>206</sup>

Many public school libraries have followed the recommendations of the “how to” manual and built substantial collections of books described as “queer friendly.” As a result, instead of scanning shelves for classic works featuring stories of courage, faith and family, children will be looking at books glamorizing homosexuality, lesbianism, incest, “transgenderism,” cutting and teen suicide. For example, in the Fairfax County, Virginia public school libraries, there are more than 350 books/novels addressing suicide, most at the middle school.<sup>207</sup> There are nearly 80 titles addressing “gender identity,”<sup>208</sup> 200 addressing homosexuality,<sup>209</sup> 34 addressing lesbianism<sup>210</sup> and 43 addressing incest.<sup>211</sup> Included among the titles, and listed as “must haves” in the librarians’ “how-to” manual are *The Geography Club*, which discusses homosexual and bisexual students forming a “queer” after school club and calling it the Geography Club to keep it “safe from prying straight eyes.”<sup>212</sup> Indeed, the title itself will deceive many students who might be looking for a book about geography, not sexual acts and identity. Librarians are told that the book has tremendous appeal, “[s]imply everyone reads it, queer or straight.”<sup>213</sup> Books regarded as “classics” include *Annie on My Mind*, about teenage lesbians, *Boy Meet Boy*, about homosexual teens, and the *Rainbow Boys* trilogy, which follows the adventures three homosexual teen boys in high school.<sup>214</sup> With “gender uncertainty” being mainstreamed into the

curriculum, the book *Luna*, a novel about a transgender teen, will be on the must read list for many schools.<sup>215</sup>

Perhaps most alarming is a recommendation that all school libraries carry *The Advocate*, a longstanding homosexual-themed periodical.<sup>216</sup> The “how-to manual” describes *The Advocate* as “the all-queer version of mainstream newsmagazines such as *Time* and *Newsweek*” written in an easy complementary style with plenty of “sidebars, photos, and other fun doodads that make it teen-friendly.”<sup>217</sup> It also includes a “Generation Q” department which includes news from high schools and colleges and “profiles of queer teens and twenty-somethings.”<sup>218</sup> Librarians are told that “unlike other adult queer periodicals that profile pop culture, *The Advocate’s* sexual content is kept to a bare minimum—no pun intended—so it can be readily recommended that your YA (young adult) room subscribe to it.”<sup>219</sup>

Dr. Reisman’s team’s content analysis of *The Advocate* revealed quite a different story, however, and demonstrates the toxic worldview to which still developing brains are being exposed. The 1995 study analyzed classified advertisements in which readers were seeking partners and compared the content to similar advertisements in a predominantly heterosexual upscale magazine, *The Washingtonian*. The study examined 2,885 *Washingtonian* “in search of” (“ISO”) ads and 7,407 *The Advocate* ads for the period 1988 to 1992. A sample of ads was scored for the presence of categories of expressed preferences for prospective partners.<sup>220</sup> Below are five key findings about advertising language placed by men in *The Advocate*.<sup>221</sup>



The data collected in the study contradicts the claims made by the librarians’ mantra regarding *The Advocate’s*<sup>222</sup> honesty. More critically, they reveal a consistent attack on the morals and values of most parents, creating a conflict between the child and the home culture. Secular, single, upscale males who seek a female partner in the *Washingtonian* largely focus on the whole woman, suggesting a long-term relationship.<sup>223</sup> The Reisman study includes several comparative content analysis studies of *The Advocate* carried out by homosexual researchers, all reaching similar conclusions. Indeed, the studies agree that secular, single, upscale males seeking male partners in *The Advocate*, are largely focused on casual, short term encounters, young partners with an emphasis on superficial physical characteristics such as athletic build and genital size.<sup>224</sup> Far from being “teen friendly,” the *Advocate*, like many of the other publications promoted to librarians, are in fact downright dangerous to young minds that are unlikely to pick up on the subtle attacks on their underlying cultural values or the risks associated with the promoted activities, including encouragement of multiple older partners, dangerous anal and oral sodomy,

participation in public sex, pornography, prostitution, drugs, and use of sex implements (“toys”).

Apparently, a number of librarians have heeded the advice found in the “how-to” book, read the selections and acted out what they read, as is illustrated by the number of reports of librarians arrested for sexual misconduct. For example, in August 2014, a school librarian in Arizona was arrested, accused of molesting three young boys.<sup>225</sup> In May 2014, a librarian in eastern Washington was arrested for sexual misconduct with a student.<sup>226</sup> In 2013, a New York school librarian was arrested and sentenced to probation for sending sexually explicit photos and then showing up at a 16 year old student’s home seeking sex.<sup>227</sup> In 2011, a Franklin County Tennessee school librarian was arrested in connection with multiple charges of sexual misconduct with children.<sup>228</sup> In 2009, a Stuyvesant, New York school librarian was accused sexual abuse of boys.<sup>229</sup>

If educated adults accustomed to viewing and reading explicit images are aroused to the point of acting out sexually, then children whose brains are not fully developed and who cannot process the feelings sparked by the sexually arousing images will be even more prone to acting out. This has already been apparent with the introduction of sexually explicit materials. The risks will only increase as “gender uncertainty” is introduced and the protection of sex-separate private facilities is removed, proving increased access for predators who only need to assert that they “identify” as the opposite sex.

## **V. AS “GENDER UNCERTAINTY” IS UNLEASHED IN THE ALREADY SEXUALIZED SCHOOLS, STUDENTS WILL BE TRAUMATIZED IN UNPRECEDENTED WAYS.**

### **A. Gender Uncertainty Will Exacerbate Threats to Children’s Physical and Mental Health**

Injecting the confusion and conflict of gender uncertainty into the educational environment assaults young brains that are not sufficiently developed to understand sexual stimuli, let alone undefined, discordant concepts such as “gender identity,” “gender expression,” and/or “transgenderism,” and “gender fluidity” are artificial social constructs that adults have not even universally defined.<sup>230</sup> Children first recognize the physical differences between boys and girls when they are toddlers.<sup>231</sup> Toddlers between one and one-half to two years of age can and do label their peers correctly by sex.<sup>232</sup> Child development research has also shown that by age three children can answer the question of whether they are a boy or a girl correctly 75 percent of the time.<sup>233</sup> It is an important part of children’s cognitive development to categorize people as male or female in order to understand social relationships.<sup>234</sup> It is critical for young children to clearly understand the differences between boys and girls in order to attain a mature understanding of human relationships.<sup>235</sup> Replacing the objective and accurate understandings of “male” and “female” with undefined concepts of “gender identity” or “transgenderism” will deny young children the ability to develop a baseline from which to order their social relationships. Without a foundation, children will become confused and anxious, even traumatized, as they will not know how to interact with others. This will be particularly true if they are instructed that they cannot refer to other people by sex-specific pronouns and cannot ask someone if they are a boy



or girl for fear of violating a school policy against “harassing” other students based on “gender identity.”

***1. Advances in Brain Science Establish the Dangers of Premature Exposure to Sexual Concepts, Which Will Be Exacerbated by Introduction of Gender Confusion.***

Advances in digital imaging have given neuroscientists unprecedented access to the developmental processes of the human brain. Scientists have been able to digitally map how the brain develops, and have found that the portions of the brain that permit processing of complex concepts—such as “gender identity” and “sexual orientation”—evaluating risk—including the risks of premature premarital sexual activity—and making informed decisions is the brain structure that is the last to mature, usually in the early 20s.<sup>236</sup> Armed with an array of increasingly sophisticated technology, including fMRIs and PET scans, neuroscientists have developed a more detailed understanding of how deeply and completely certain stimuli, including disgust, sexual arousal, fear and shame can hijack cognitive and memory-making processes and cause children to mislabel emotions.<sup>237</sup> Shocking images imprint and alter the brain, triggering an instant, involuntary, but lasting, biochemical memory trail.<sup>238</sup> Sexualized words and images also commonly trigger the “fight or flight” phenomenon, to which young children are incapable of properly responding. Children become hyper-aroused and create coping mechanisms which cause confusion, emotional and developmental problems.<sup>239</sup>

Research has shown that physiological changes occur as the body experiences arousal to sexual stimuli; arousal is largely “automatic...pulse rate, which normally stands at 70-80 per minute, has increased to around 90...blood pressure has increased,” breathing is rapid and muscles tense as though ready for battle. In such an aroused state the person “is distracted and slightly “agitated.”<sup>240</sup> Brain research has established that young brains have not yet developed the skills necessary to process such feelings and properly assess their origin and risk.<sup>241</sup> Consequently, exposing young minds to sexually arousing words and images places the children at great risk of psychological dysfunction that can result in risky, even dangerous behaviors. Any psychological trauma caused by early exposure to sexually charged words and images will only be exacerbated by the introduction of the idea that people are not only male and female, but can be any number of genders, some not matching their physical attributes. It is one thing to prematurely expose a young brain to the realities of sexual behavior between men and women, but quite another to expect minors to completely suspend reality and to embrace the idea that gender is fluid and changeable. Adding “gender confusion” to school curricula introduces a completely different and wholly incomprehensible concept to young children. Vulnerable children will be confused and distracted, unable to acquire the knowledge and maturity necessary to become psychological stable adults.

***2. Introducing “Gender Uncertainty” Into The Already Sexualized Classrooms Will Psychologically Traumatize Children.***

Asking children to disregard biological reality and embrace a myth of “gender uncertainty” can be expected to create further dysfunction and even open new channels for acting out. Psychiatrist Keith Ablow has discussed the potentially traumatic consequences of instructing children to deny biological reality.<sup>242</sup> “The mere fact that teachers and administrators will have to explain to kindergarten and first grade students that they might see girls in the boys’ restroom, or

boys in the girls' locker room, but that those really aren't kids of the gender they appear to be, could do harm to their own developing sense of self by suggesting to them that their gender is fluid, that it well might change for them, too, and that they should be on the lookout for signs that they want to switch."<sup>243</sup>



Telling third grade or seventh grade or tenth grade children, adolescents or teenagers that this issue is settled to such an extent that they should feel comfortable with females walking in and seeing them urinating or pulling their pants down to change into football gear is a lie that can steal their ability to trust adults, shake their faith in any form of reality, traumatize them by shaming them and kindle waves of completely unnecessary anxiety related to whether they should be doing some sort of emotional inventory to determine whether they're really going to turn into men, once and for all, or find out they've been suppressing the truth that they're actually women. I don't see anything but toxicity from the notion of a person with female anatomy feeling free to use the urinal in the boys' rest room while a boy stands next to her and uses one, too.<sup>244</sup>

That is particularly apparent in a case in rural Missouri, where a male student determined in the middle of last school year that he was not a "gay" male, but was in fact a "transgender" female.<sup>245</sup> He began wearing wigs and dresses to school and using a female name, but retains his male genitalia.<sup>246</sup> The school provided him with a single stall bathroom for his use, but at the beginning of this school year he insisted on using the girls' bathrooms and locker room.<sup>247</sup> School administrators granted his request, and he would change for physical education class with the girls.<sup>248</sup> Dozens of female students and their parents opposed the decision, saying that the girls' privacy was being violated.<sup>249</sup> Parents and students flooded the school board meeting to protest the presence of a biological male in private female spaces, but the school board did not change its decision.<sup>250</sup> About 200 students walked out of class in protest.<sup>251</sup> The student withdrew from the physical education class, but is still insisting that he should use the girls' facilities.<sup>252</sup> The fear and trauma experienced by girls who have experienced, or are experiencing sexual molestation, certainly will undermine their ability to educationally thrive.

Similarly, in Troy Ohio the school district announced that transgender students will be permitted to use the school facilities that match their "gender identity," regardless of their biological gender.<sup>253</sup> As is true throughout the country, school officials claim that they are following the DOE's and DOJ's claim that Title IX prohibits schools from discriminating against students based on their gender identity.<sup>254</sup> Instead of providing a unisex or gender neutral restroom for a biological female student who "identifies" as male, the district acceded to the student's demands that she use the boy's restroom at Troy Junior High School.<sup>255</sup> Over 100 parents packed a district board meeting to object to the decision, but the school board did not reverse course.<sup>256</sup>

Furthermore, a New Jersey school district approved the re-hiring of an elementary school substitute teacher who underwent "sex reassignment surgery" to purportedly transition from being male to female.<sup>257</sup> At least one parent expressed concern that the presence of a teacher appearing as a woman who previously taught her sons as a man would be confusing, but as usual, parental concerns were disregarded by elitist educators.<sup>258</sup> While having fellow students

invade private spaces causes trauma to young minds, being taught by someone who was a man last year and now appears costumed, and yet who must be called a woman will create further trauma as children will lose grounding in reality. They will be unable to determine whom or what they can trust.

These examples of the onslaught of “gender uncertainty” in public schools reflect Dr. Ablow’s conclusion that:

[S]haking the certain knowledge in boys and girls of whether they can count on not being seen naked by the opposite gender, not to mention whether they are themselves actually the gender they thought they were, is a powerful, devious and pathological way to weaken them by making them question their sense of safety, security and certainty about anything and everything.<sup>259</sup>

Most importantly, children will explicitly and implicitly be told to question the truths they learn at home regarding their own identities as boys and girls.

### **B. “Gender Uncertainty” Will Further Undermine the Family and Create Cultural Conflicts.**

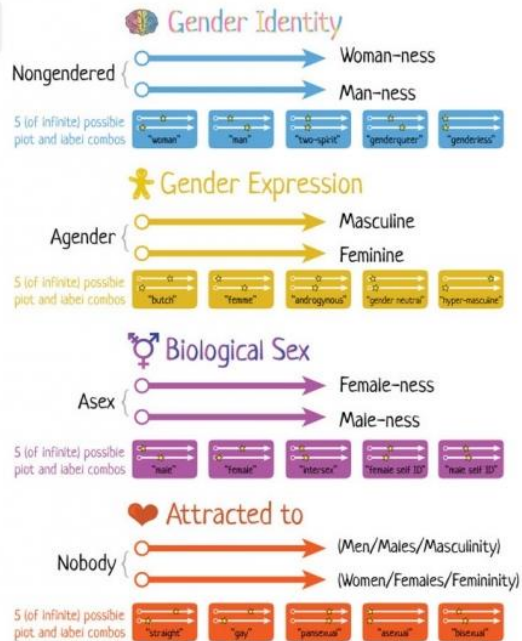
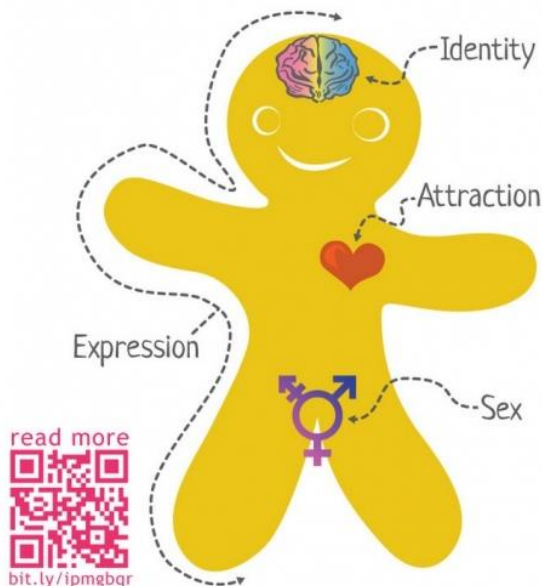
As well as wreaking havoc with children’s mental and physical health, the continuing infusion of pansexuality, and particularly introducing the concept of “gender confusion” into the schools wreaks havoc with the family, its authority and culture. Schools will teach doctrine that directly conflicts with the students’ personal reality, but also with what they are taught at home and commonly in church regarding what it means to be male and female. Students are taught to disregard their physical and psychological makeup, what their parents tell them and embrace the idea that “gender” is an “identity” that incorporates not only physical appearance, but also an amorphous “gender identity,” which is a person’s internal, deeply felt sense of being either male or female.”<sup>260</sup> Children whose cultural background teaches that a person with female genitals is a female and a person with male genitals is male, which comports with biological reality will be told by their school teachers, librarians, counselors, lecturers, etc., that is not the case. Their parents provide them with the facts as established by medical science, but when they attend school, other trusted, paid, educated, professional, “adults (as above) will tell them that “gender” is different from “sex” and that some people look male but are not because they do not “feel” male while some others look female but are not because they do not “feel” female. What children have the courage to challenge such fraudulent claims by those adults who hold power over them; all children being captive, easily intimidated and manipulated prey. Students will also be told that there is something known as “gender expression,” which is “society’s perception of the “external characteristics and behaviors that are socially defined as either masculine or feminine,” such as the way one dresses, speaks, or interacts socially.<sup>261</sup>

For example, in a California school district, parents of high school freshmen discovered that the Planned Parenthood presented sex education course included a sketch of a “Genderbread Person,” which presented the human person as a combination of four elements, each offering a range of options and combinations, identity, falling along a multi-level continuum: 1) Gender identity (woman – genderqueer- man); 2) Gender expression (female-androgynous-masculine); 3) Biological sex (female-intersex-male); 4) Sexual orientation (heterosexual-bisexual-homosexual).<sup>262</sup>

# The Genderbread Person v2.0

by its pronounced **METROsexual** .com

Gender is one of those things everyone thinks they understand, but most people don't. Like Inception. Gender isn't binary. It's not either/or. In many cases it's both/and. A bit of this, a dash of that. This tasty little guide is meant to be an appetizer for understanding. It's okay if you're hungry for more.



“The Genderbread Person” worksheet (above) is taken from *The Social Justice Advocate's Handbook: A Guide to Gender*, by comedian and social justice advocate Sam Killerman, which teaches that “gender isn’t binary.”<sup>263</sup> The handout uses a depiction of a holiday cookie and storybook character to show students they can identify in their minds as a “woman, man, two-spirit, genderqueer or genderless;” express themselves sexually as “butch, femme, androgynous, gender neutral, or hyper-masculine” and present their biological sex as “male, female, intersex, female self ID, or male self ID.”<sup>264</sup>

With “gender identity” being added to non-discrimination policies and student codes of conduct, students will not only be subjected to learning about these confusing and inaccurate concepts, but will face possible suspension from school officials if they do not fully understand them and apply them properly to classmates and teachers who might be acting out the concept that “gender isn’t binary.” Regardless if the student’s privacy is violated or she feels, and IS, unsafe, she will not be able to express those feelings without possibly facing suspension or other discipline from school authorities. Students’ cultural values about privacy and modesty with people of the opposite sex will be in conflict with the cultural values imposed upon them by school administrators who insist that students who are physically male but “feel” like they are female must be welcomed into female’s private spaces without any words or conduct that might make them uncomfortable.<sup>265</sup> Meanwhile, children whose cultural beliefs are violated by the presence of the opposite sex in their private spaces<sup>266</sup> receive the message that their family, cultural, and religious values and cultural identity and their psychological distress are “bigoted.”<sup>267</sup> Furthermore, students understand that they cannot say anything about someone of

the opposite sex invading their private spaces because that might “discriminate” on the basis of gender identity and result in public humiliation, condemnation or even suspension.

Furthermore, since sexual concepts are pervasive throughout the school day, there is no possibility of “opting out” of the discussions or otherwise alerting parents of the culturally conflicting and unscientific concepts being foisted upon their children. An extreme example of the undermining of parental authority is seen in Oregon, which has determined that children as young as 15, who cannot drive, smoke, donate blood, get a tattoo or go to a tanning bed will be able to get state-subsidized “cross-sex hormone therapy, puberty-suppressing drugs and gender-reassignment surgery” *without parental notification and despite parental objections*.<sup>268</sup> As Dr. McHugh said, Oregon can be said to be engaging in state-sponsored child abuse with long term and unknown consequences.<sup>269</sup>

### **C. Youth Will Face Increasing Threats From Sexual Predators Who Will Take Advantage Of Broadly Written Laws Protecting “Gender Uncertainty”**

Including “transgender” in non-discrimination policies at schools will place students and staff, particularly female students and staff, at greater danger of being exploited by sexual predators who regularly take advantage of the laws. The concern about such laws being exploited by predators to assault women and girls is not based on scientific studies that those who believe they are “transgender” are more likely to be sexual predators. There are no studies yet of that proposition. Instead, the evidence shows that sexual predators pretending to be transgendered have in the past gained access to women’s facilities.<sup>270</sup> One case that particularly reveals the risks posed by introducing of “gender uncertainty” into public schools involved a cross-dressing New York high school teacher who is alleged to have victimized six girls between 2011 and 2014.<sup>271</sup> The teacher is facing 36 charges from his time at the school, including kidnapping, unlawful imprisonment, and criminal sexual acts against six girls between 2011 and 2014.<sup>272</sup> According to court documents, the teacher was wearing a schoolgirl costume with women’s underwear, high-heels and tights when he picked up one of the victims.<sup>273</sup> That story and similar reports such as a recent event in Oregon in which a sexual predator cross-dressed as a female to go into women’s locker rooms and prey on young girls,<sup>274</sup> show the danger of permitting an amorphous concept such as “gender identity” instead of objective standards to determine who is permitted to use sex-specific facilities. Placing “gender identity” in non-discrimination laws opens the door to such crimes since students and school personnel are less likely to challenge a male dressed as a female in a female facility—because they will fear that such a challenge could result in a “discrimination” claim against them.

The DOE has documented that approximately 10 percent of all students in grades 8 to 11, or more than 4 million children, have been victims of sexual misconduct by school personnel.<sup>275</sup> A survey released in early 2015 found 781 reports of teacher-student sexual misconduct in the media throughout the United States in 2014, including 116 in Texas, 45 in Pennsylvania, 43 in California, 40 in Florida, 37 in Ohio, 31 in North Carolina, 28 in New Jersey, 27 in New York, 25 in Alabama and 25 in Illinois.<sup>276</sup> The Texas Education Agency reported that, in the last three school years, there has been a 27 percent increase in the number of student-teacher sexual assault investigations in the state.<sup>277</sup> Notably, the Government Accounting Office (GAO) “*found no federal laws regulating the employment of sex offenders in public or private schools and widely divergent laws at the state level.*”<sup>278</sup> The GAO study further found that at least 11 of 15 incidents

studied involved repeat offenders and in at least six cases the offenders used positions as school employees or volunteers to abuse more children.<sup>279</sup> According to the GAO report adult school sex offenders are usually transferred and are seldom reported to police.<sup>280</sup> One example:

A male second grade teacher was convicted of aggravated criminal sexual abuse and sentenced to 60 years in prison for sexually abusing 10 female students in two different school districts, despite undergoing a background check which included a criminal history check, reference check, and a review of his teaching experience. At the first school district at which he taught, the teacher had been disciplined for downloading pornography onto his work computer. He was also disciplined at the same school and not rehired after a parent filed a complaint alleging that the teacher told a student that she reminded him of a female movie star, gave the student pictures of that star, repeatedly stared at the student and touched her unnecessarily on several occasions, though not in any inappropriate areas. When he left the school, he received a positive recommendation, and neither of the alleged incidents was relayed to his new employer. The teacher's suspicious behavior was brought to the attention of officials when a mother at the second school learned from her daughter about activities occurring during her after-school program that suggested the possibility of sexual abuse. The teacher was later convicted of aggravated criminal sexual abuse of eight girls at the second school and two girls at the first school. According to school district officials, the second school district that hired him has implemented additional steps to help protect student safety, such as additional reference checks, including sources independently identified.<sup>281</sup>

Other examples abound, including arrests of middle school teachers,<sup>282</sup> music teachers,<sup>283</sup> and high school teachers<sup>284</sup> on child pornography charges, sex education teachers arrested for sexual assault on students,<sup>285</sup> and even special education teachers accused of assaulting their charges.<sup>286</sup>

Adopting “gender uncertainty” policies that permit access to private spaces on the basis of perceptions will provide such predators with greater access to potential victims. Predators will be more able to enter the private spaces of opposite sex students without detection, as they can proclaim that they are no longer their birth sex, dress in opposite sex clothing and enter the private spaces. Again, with non-discrimination policies protecting “transgender” students and staff, everyone is not likely to report a cross-dressed person for fear of being accused of discrimination.

Furthermore, students are most often victims of fellow students, with 79 percent of the sexual misconduct reported at elementary and secondary schools involving student perpetrators and student victims.<sup>287</sup> As is true with adult predators, these student predators will have easier access to potential victims as they will need only to proclaim that they are the other sex, dress as the opposite sex and have access to private spaces. As the case in Missouri illustrates, district personnel are likely to permit cross-dressing students into the private spaces because of concerns about discriminating against “transgender.”<sup>288</sup> Also, the recent high profile trial of a former prep school student, accused of raping a 15-year-old freshman girl as part of a “senior salute tradition” reveals how sexual misconduct has become part of the “culture” even in schools.<sup>289</sup> Opening up

private spaces to sexualized teenagers who merely have to don a dress or wig and lipstick to gain access to younger female students will only add fuel the already sexually charged atmosphere.

**D. Gender “Uncertainty” on College Campuses Affects Free Speech Rights, Endangering Students and Undercutting Women’s Progress in Closing the Gender Gap in Sports.**

“Gender uncertainty” is also being introduced on college campuses, where the sexualized environment has created an epidemic of child sexual exploitation by university professors. For example, between August 10 and September 10, 2015, news outlets reported on seven professors who were arrested for possession of child pornography, a form of child sexual abuse. These included a former Merrimack College engineering professor who pled guilty to using his college computer to access child pornography/exploitation,<sup>290</sup> a Dartmouth University professor arrested on child pornography charges, including videos of the sex abuse of prepubescent boys and a girl,<sup>291</sup> a Simmons College professor arrested on child porn charges who also reported had been sharing sexual fantasies about molesting a 5-year-old with her boyfriend,<sup>292</sup> an Emory University professor arraigned on child porn/exploitation charges,<sup>293</sup> and a University of Michigan professor arrested in Florida when he attempted to meet a father, in reality an undercover police officer, offering his 14-year-old son for sex abuse.<sup>294</sup>

Representative of the indoctrination at the nation’s colleges are the instructions that students and staff at the University of Tennessee at Knoxville were greeted with from the Office for Diversity and Exclusion:

With the new semester beginning and an influx of new students on campus, it is important to participate in making our campus welcoming and inclusive for all. One way to do that is to use a student’s chosen name and their correct pronouns.

We should not assume someone’s gender by their appearance, nor by what is listed on a roster or in student information systems. Transgender people and people who do not identify within the gender binary may use a different name than their legal name and pronouns of their gender identity, rather than the pronouns of the sex they were assigned at birth.

In the first weeks of classes, instead of calling roll, ask everyone to provide their name and pronouns. This ensures you are not singling out transgender or non-binary students. The name a student uses may not be the one on the official roster, and the roster name may not be the same gender as the one the student now uses.

....

We are familiar with the singular pronouns she, her, hers and he, him, his, but those are not the only singular pronouns. In fact, there are dozens of gender-neutral pronouns.

A few of the most common singular gender-neutral pronouns are they, them, their (used as singular), ze, hir, hirs, and xe, xem, xyr.<sup>295</sup>

Students and staff are given the following graphic to aid in correcting their speech:<sup>296</sup>

	Subject	Object	Pronoun	Pronunciation
Gender Binary	she	her	hers	as it looks
	he	him	his	as it looks
Gender Neutral	they*	them*	theirs*	as it looks
	ze	hir	hirs	zhee, here, heres
	ze	zir	zirs	zhee, zhere, zheres
	xe	xem	xyrs	zhee, zhem, zheres

*\*used as singular*

This is not a new phenomenon, but merely a more public presentation of what sexual rights advocates have been promoting in the schools for decades. For example, a pro-pedophile group known as the Child Sexuality Circle promulgated a Child’s Sexual Bill of Rights, which Professor John DeCecco used in university courses beginning in the 1970s, which included use of “the new unisexual pronouns...co for he/she/him/her and cos for his/hers” as far back as January 1977.<sup>297</sup>

At Washington State University, students in one class were instructed that if they use “offensive” words such as “male” and “female,” they will be punished with lower or even failing grades.<sup>298</sup>

This further indoctrination will have many of the same potential consequences as are apparent in elementary and secondary schools. As is true with elementary and secondary school students, college students are subjected to and will continue to be subjected to an environment in which their culture values and beliefs, including beliefs about modesty and privacy, are derided and undermined, creating conflicts that increase stress and distract from education.

**E. “Gender Uncertainty” Will Make Sexually Charged and Dangerous Campuses Even More Dangerous.**

Studies of sexual victimization on college campuses validate what has been portrayed in the media, *i.e.*, that college campuses can be dangerous places, particularly for women, with regard to sexual violence. The National College Women Sexual Victimization (NCWSV) study commissioned by the Department of Justice found that for every 1,000 college women there were about 35 incidents of rape in a given academic year.<sup>299</sup> Rates of other sexual assault ranged from 25 to 66 per 1,000 students.<sup>300</sup> According to the Campus Sexual Assault study prepared for the Department of Justice, approximately 20 percent of students are sexually assaulted while attending college, and 16 percent were sexually assaulted before coming to college.<sup>301</sup> This



means that as many as 36 percent of the female students could be suffering from post-traumatic-stress-disorder (PTSD).<sup>302</sup> PTSD, in turn, includes hyper-arousal, avoidance and re-experiencing, which makes these women particular vulnerable to re-victimization under circumstances that might not affect women who are not sexual assault victims.<sup>303</sup>

Furthermore, studies of sexual assaults on campus have revealed, in some instances, an underlying culture of what some have termed “‘target rape,’ where males ally together in sexual pursuit of females not only regardless of the female’s sexual desire, but often in deliberate violation of it.”<sup>304</sup> In these situations, men will create sometimes elaborate schemes to lure women into situations in which they are then sexually assaulted, sometimes after being surreptitiously drugged.<sup>305</sup> Opening up female private spaces to those who are biologically male but profess to “‘identify” as female gives such predators one more avenue for securing female victims, as they can don female clothes and wigs and enter into women’s dormitories, restrooms or locker rooms with impunity. Unsuspecting females will then be easy targets for “conquest.” Also, those who are already traumatized from sexual assault or other abuse will face the possibility of having a biological male disrobe or even approach them, possibly triggering memories of prior trauma and causing re-victimization.

Instances of cross-dressing men entering into women’s spaces illustrate how making such conduct acceptable could traumatize students. For example, in 2012 a man dressed in a bra and wig and with a pair of women’s panties in his pocket was arrested after going into a women’s bathroom at a community college. He had earlier taken a shower in the girl’s locker room for sexual gratification.<sup>306</sup> A man was accused of dressing up as a woman to enter female only facilities, including a female dormitory at Loma Linda University.<sup>307</sup> A male disguised as a female was discovered in a women’s locker room at the University of California using a cell phone to photograph women inside the locker room.<sup>308</sup> A similar incident was reported at Purdue University.<sup>309</sup>

In these instances, the women students were protected by school policies and the law and the men were arrested and removed from the scene. However, if the colleges open up the female private spaces to males who say they “‘identify” as women, then the female students’ safety will not be protected. Those who are suffered PTSD from being abused or who have other privacy and safety concerns will have no recourse, but in fact, as has already occurred, will themselves be disciplined for discriminating on the basis of “gender identity.”<sup>310</sup>

These and similar incidents show the wisdom of maintaining separate facilities for biological men and women and providing accommodations such as single sex stalls for those who express a need to use a facility that does not correspond to their gender at birth.

#### **F. “Gender Uncertainty” will Wreak Havoc on Efforts to Improve Women’s Access to and Participation in Sports.**

Among the primary reasons for passage of Title IX was to provide equal access for women in all aspects of education, including sports. DOE’s position on “gender identity” discrimination runs afoul of that purpose by opening up women’s sports teams to biological males. Title IX has “paved the way for significant increases in athletic participation for girls and women at all levels of education.”<sup>311</sup> Female student participation in interscholastic athletics at the college level increased from just below 32,000 in 1971, to nearly 150,000 in 1998-99.<sup>312</sup> However, some scholars point to continuing discrepancies in spending, benefits, facilities and institutional

culture as evidence that female students are still disadvantaged in college sports.<sup>313</sup> If sports teams are no longer based on biological sex, but on perceived sexual or “gender identity,” then the disparity will only increase. In addition, there could be serious physical consequences for female athletes who have to compete against biological males who “identify” as female, as a professional mixed martial arts fighter found out in 2014.<sup>314</sup> The fighter suffered a concussion and a broken orbital bone in a match against a man who went through “sex reassignment surgery” in his thirties and then began fighting as a “female.”<sup>315</sup> Despite the cosmetic surgery, the fighter still had the bone structure and strength of a male and therefore was able to win the competition by overpowering instead of out-fighting his opponent.<sup>316</sup>

Women who have worked hard to become collegiate athletes in the post-Title IX era will face new obstacles as biological men are accepted as competitors if they “identify” as women. The hard-fought battle for equality will suffer a setback if DOE’s policy of including “gender identity” in Title IX continues to be implemented. Gender equality will become gender inequality in the interest of accommodating an artificial social construct.

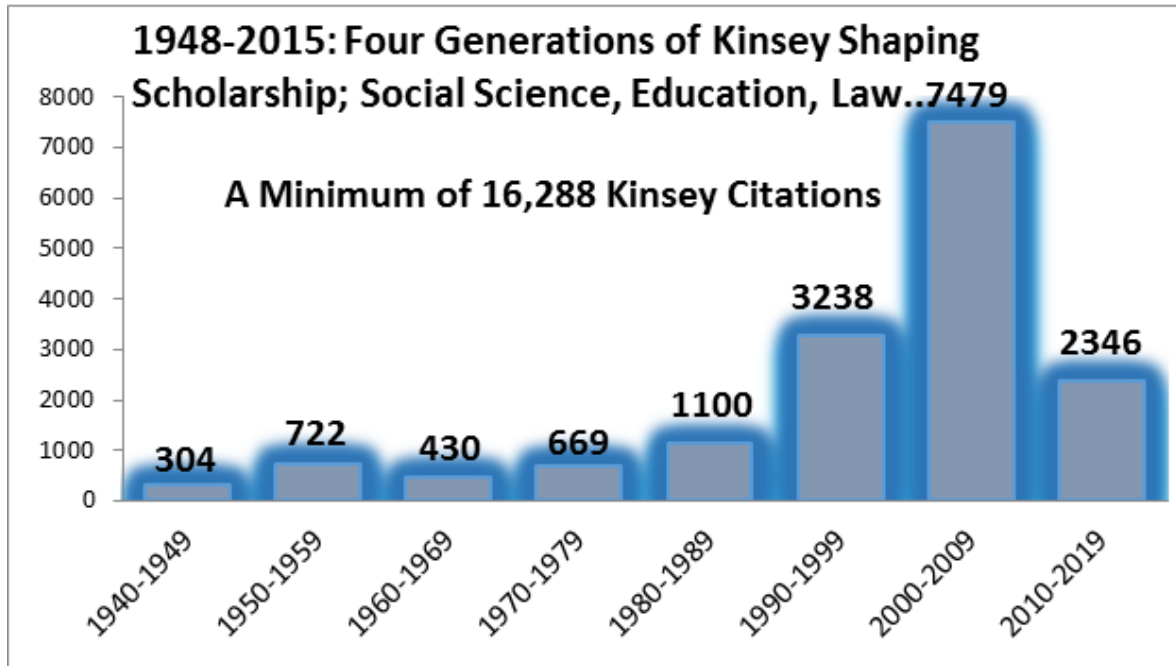
## **VI. CONCLUSION**

Scientific advances have proven the truth of the natural law concept that human beings are created either male or female, and that the sexual differentiation is complete with eight weeks of conception. Societal change agents seeking to further Alfred Kinsey’s fraudulent, criminal pseudo-science used rare instances of children born with ambiguous genitalia, or tragically a boy whose genitals were damaged in surgery, to create a new social construct of “gender identity” and to deconstruct the “barriers” of “gender binaryism.”

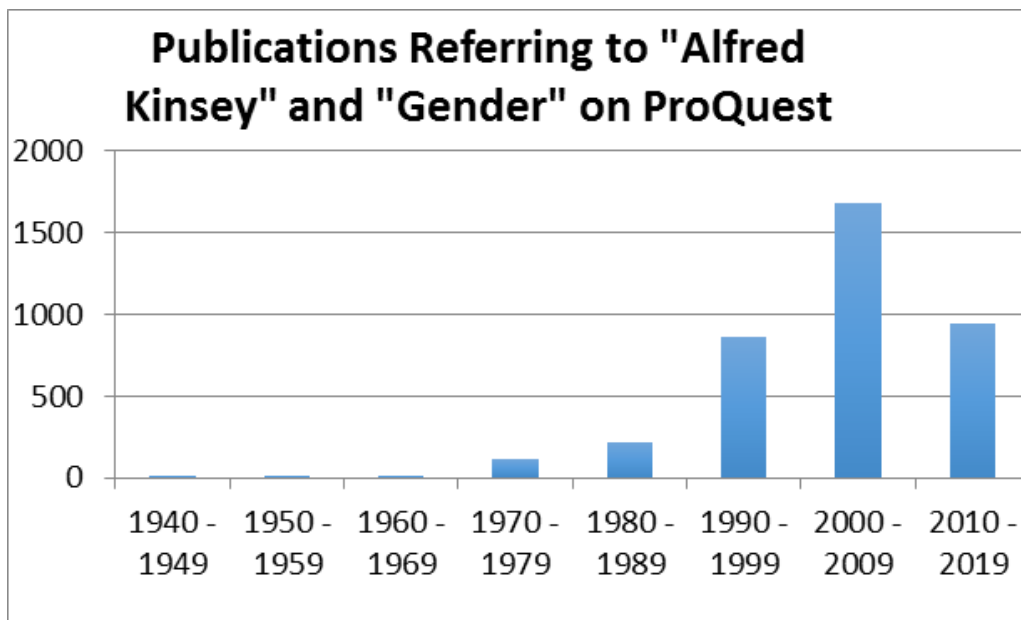
Despite mounting evidence of the fallacy of their theories, the change agents have persisted in pursuing their agenda through orchestrated efforts to change public opinion, the law, public policy and academia. Now, the agenda is moving into the public schools, which are still reeling from the introduction of “comprehensive sex education” and the sexualization of the entire educational experience. Young students whose brains have not fully developed and cannot undertake the complex reasoning necessary to process sexual messages will be required to abandon biological reality and accept the idea that “gender” is a multi-faceted concept that does not necessarily correspond with a person’s physical, emotional and psychological reality. Women are again being driven into compromising positions, and put at risk of harm from the new, “sexuality” that would again relegate them into the position of second class citizens, exposed to harassment and rape to fit the newest pansexual ideology.

The consequences of this latest manifestation of the pansexual worldview are far-reaching and potentially traumatically devastating to the next generation.

## APPENDIX A

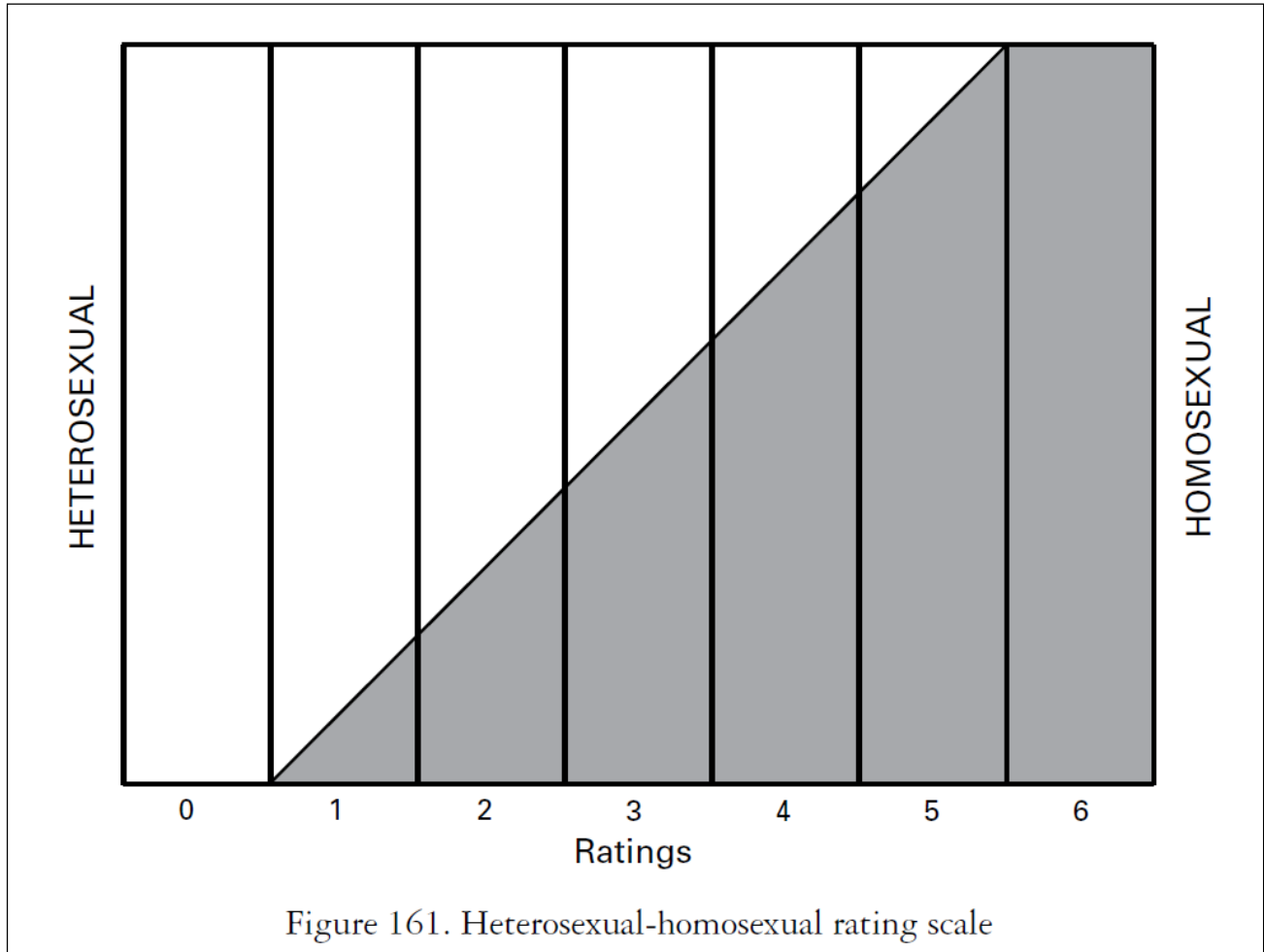


## APPENDIX B



## APPENDIX C

The Kinsey Scale, Cited Globally: 0 = Heterosexual, 3 = Bisexual, 6 = Homosexual



## ENDNOTES

<sup>1</sup> Debbie DeGross, Children's Literature Analyst, M.O.M. and Theresa McElroy, J.D. Candidate 2016, Liberty University School of Law also contributed to this report.

<sup>2</sup> Lena Levine, "Psychosocial Development" *Planned Parenthood News*, 10 (Summer 1953).

<sup>3</sup> Larry Cuban, *Sex and School Reform*, 68 *PHI DELTA KAPPAN* 319, 321 (December 1986).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Alfred Kinsey, et. al., *SEXUAL BEHAVIOR IN THE HUMAN MALE* (W.B. Saunders 1948) (Kinsey, *Male* herein); Alfred Kinsey, et. al., *SEXUAL BEHAVIOR IN THE HUMAN FEMALE* (W.B. Saunders 1953) (Kinsey, *Female* herein).

<sup>7</sup> Judith Reisman, *STOLEN HONOR STOLEN INNOCENCE*, 30-36 (New Revolution Publishers 2013).

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<sup>8</sup> *Id.* at 170-268. “SIECUS” stands for the Sexuality Information and Education Council of the United States, which was launched at the Kinsey Institute at Indiana University in 1964 with the objective to teach Kinseyan ideology as sex education in the nation’s schools. Planned Parenthood’s former medical director Mary Calderone was its early leader, and Playboy has been a prominent donor. *Id.* at 177.

<sup>9</sup> *Id.* at 136-39 (quoting Kinsey co-author Paul Gebhard’s interview on KINSEY’S PAEDOPHILES).

<sup>10</sup> Cuban, *supra* note 2, at 321.

<sup>11</sup> The authors are adopting the term “gender uncertainty” to describe the phenomenon of re-defining human sexuality from its created order of male and female to amorphous concepts that defy definition.

<sup>12</sup> U.S. Department of Education, Office for Civil Rights, *Sexual Harassment: It’s Not Academic* (2008).

<sup>13</sup> U.S. Department of Education, Office for Civil Rights, *Title IX Resource Guide* (Apr. 2015).

<sup>14</sup> *Sexual Harassment: It’s Not Academic*, *supra* note 10 at 6.

<sup>15</sup> See American College of Obstetrics and Gynecology, Committee on Health Care for Underserved Women, Opinion No. 512: *Health Care for Transgendered Individuals* at 1 (December 2011), <http://www.acog.org/Resources-And-Publications/Committee-Opinions/Committee-on-Health-Care-for-Underserved-Women/Health-Care-for-Transgender-Individuals>, discussed *infra*.

<sup>16</sup> *Id.*

<sup>17</sup> “Hobson’s choice” describes a choice that is really no choice at all. “An apparently free choice when there is no real alternative” or “the necessity of accepting one of two or more equally objectionable alternatives.” Merriam-Webster online dictionary, <http://www.merriam-webster.com/dictionary/hobson's%20choice>.

<sup>18</sup> Scientific studies of children who report experiencing gender dysphoria, which the American Psychiatric Association classifies as “a mental disorder in which a person identifies as the sex opposite of his or her birth,” have shown that most children no longer experience the disorder after puberty. Madeleine S.C. Wallien, Ph.D., & Peggy T. Cohen-Kettenis, Ph.D., *Psychosexual Outcome of Gender-Dysphoric Children*, 47 J. AM. ACAD. CHILD AND ADOLESC. PSYCHIATRY, 1413 (2008).

<sup>19</sup> Laretta Brown, *Virginia School Board Votes to Teach Seventh Graders About Gender Identity*, CNS News.com, July 2, 2015. <http://cnsnews.com/news/article/lauretta-brown/virginia-school-board-votes-teach-seventh-graders-about-gender-identity>.

<sup>20</sup> *Id.*

<sup>21</sup> Judith Reisman, *Condoms never FDA approved for sodomy*, WND.com, March 14, 2014. <http://www.wnd.com/2014/03/condomsneverfdaapprovedforsodomy/print/>.

<sup>22</sup> Judith A. Reisman, *Crafting Bi/Homosexual Youth*, 14 REGENT UNIVERSITY LAW REVIEW 283, 325 (2002).

<sup>23</sup> *Id.*

<sup>24</sup> ILLINOIS COMM’N ON SEX OFFENDERS, REPORT OF THE ILLINOIS COMM’N ON SEX OFFENDERS TO THE 68TH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS (1953).

<sup>25</sup> Illinois Law Enforcement Agency, Illinois Uniform Crime Rates 1960-2012, Disastercenter.com (2013), available at <http://www.disastercenter.com/crime/ilcrime.htm> (last

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visited January 16, 2014).

<sup>26</sup> Kinsey, *Male*, at 181.

<sup>27</sup> Manfred Guttmacher, *Psychiatrically Deviated Sex Offenders, Report No. 9* (Comm. on Forensic Psychiatry of the Grp. for the Advancement of Psychiatry 1950).

<sup>28</sup> The American Law Institute, *Model Penal Code, Tentative Draft No. 4*, “207.1” Sex Offenses, April 25, 1955 n. 99, p. 252.

<sup>29</sup> Dr. Ralph Slovenko & Cyril Phillips, Psychosexuality and the Criminal Law, 15 VAND. L. REV. 797, 809 (1962).

<sup>30</sup> Note, *Pedophilia, Exhibitionism and Voyeurism: Legal Problems in the Deviant Society*, 4 GA. L. REV. 149, 150 (1969).

<sup>31</sup> C. Nemeth, *How New Jersey Prosecutors View the New Sexual Offense Statutes*, NEW JERSEY L.J. 6 (May 5, 1983) (emphasis added).

<sup>32</sup> *Model Penal Code* at §43.02.

<sup>33</sup> William N. Eskridge, Jr., DISHONORABLE PASSIONS: SODOMY LAWS IN AMERICA 1861-2003, 124, 388-407 (2008).

<sup>34</sup> <http://www.acpeds.org/p-for-pedophile>.

<sup>35</sup> See LGBT History Month, October: 31 days, 31 icons: Alfred Kinsey, sex researcher, <http://lgbthistorymonth.com/alfred-kinsey>.

<sup>36</sup> Kinsey, *Male*; Kinsey, *Female* (1953).

<sup>37</sup> *Male*, at 175-80.

<sup>38</sup> *Id.* at 638-39.

<sup>39</sup> Leah Cahan Schaefer & Connie Christine Wheeler, *Harry Benjamin’s First Ten Cases (1938-1953): A Clinical Historical Note*, 24 ARCHIVES OF SEXUAL BEHAVIOR 73, 74 (1995).

<sup>40</sup> D. O. Cauldwell, M.D., *Psychopathia Transsexualis*, 16 SEXOLOGY 274 (1949).

<sup>41</sup> See *Hare v. State, Dep’t of Human Servs.*, 666 N.W.2d 427, 432 (Minn. Ct. App. 2003), in which the Minnesota Department of Human Services cited to the Benjamin standards as authority for defining the term “gender reassignment.”

<sup>42</sup> Schaefer & Wheeler, *supra*, note 31, at 74.

<sup>43</sup> Rene Guyon, THE ETHICS OF SEXUAL ACTS (Second Printing, Alfred A. Knopf, 1948).

<sup>44</sup> Harry Benjamin, M.D., *Introduction to the Second Printing, id.* at a, b.

<sup>45</sup> *Id.* at i.

<sup>46</sup> *Id.* at j.

<sup>47</sup> Guyon, *id.* at 44, 54.

<sup>48</sup> *Id.*, at 52.

<sup>49</sup> Schaefer & Wheeler, *supra*, note 31, at 74.

<sup>50</sup> Harry Benjamin, M.D., *7 Kinds of Sex*. 27 SEXOLOGY: SEX SCIENCE ILLUSTRATED 436, 437 (Feb. 1961).

<sup>51</sup> *Id.* at 438.

<sup>52</sup> *Id.* at 440.

<sup>53</sup> *Id.* at 441.

<sup>54</sup> Harry Benjamin, M.D., THE TRANSSEXUAL PHENOMENON, 48 (1966)

<sup>55</sup> Harry Benjamin and R.E.L. Masters, *Prostitution and Morality*, Souvenir Press, London, 165.

<sup>56</sup> Schaefer & Wheeler, *supra*, note 31, at 91.

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58 *Id.*, citing *The New Zealand Edge*, 2001

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60 *When Sex Changes Are Involuntary*, *supra*, note 54.

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62 *When Sex Changes Are Involuntary*, *supra*, note 54.

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64 *Id.*

65 *Id.*

66 *Id.*

67 *Id.* at 398-99, citing John Money, ed. SEX RESEARCH RECENT DEVELOPMENTS (Holt, Rinehart & Winston 1965).

68 “Intersex” or “hermaphrodite” individuals are those who are born with both ovarian and testicular tissues and so have ambiguous genitalia. Ida Dox, Biagio Melloni & Gilbert Eisner, MELLONI’S ILLUSTRATED MEDICAL DICTIONARY, 199 (Williams & Wilkins 1979).

69 Colapinto, *supra* note 56, at 31-32.

70 *Id.* at 33-34.

71 *Id.* at 34.

72 Transcript, NOVA, *Sex Unknown*, PBS October 30, 2001, <http://www.pbs.org/wgbh/nova/transcripts/2813gender.html>.

73 *Id.* at 3.

74 *Id.*

75 *Id.*

76 Colapinto, *supra* note 56, at 49-64.

77 *Id.*

78 *Id.*

79 *Id.* at 50.

80 *Id.* at 52-53.

81 *Id.* at 84-87.

82 *Id.*

83 *Id.*

84 *Id.* at 87.

85 *Id.*

86 *Id.* at 86.

87 *Id.* at 180-95.

88 Gina Loudon, *The Dark, Untold Story of Transgenderism*, WORLD NET DAILY, June 5, 2015, <http://www.wnd.com/2015/06/untolddarkstoryoftransgenderism/print/>

89 Colapinto, *supra* note 56 at 107, (citing glowing article in the *New York Times Review of Books* in 1975), 205-07; *See also*, Claudia Winkler, *Boy Interrupted*, THE WEEKLY STANDARD, 31, 34 (June 19, 2000).

90 Colapinto, *supra* note 56, at 86.

91 *Sexes: Attacking the Last Taboo*, Time, April 14, 1980, <http://www.time.com/time/magazine/article/0,9171,923966,00.html>.

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<sup>92</sup> Joseph Geraci & Donald Mader, *Interview: John Money*, 2 PAIDIKA, THE JOURNAL OF PAEDOPHILIA, 5 (Spring 1991) (emphasis added).

<sup>93</sup> *Id.* at 13.

<sup>94</sup> *Id.*

<sup>95</sup> *Id.* at 12.

<sup>96</sup> Elizabeth Hall, *New Directions for the Kinsey Institute*, PSYCHOLOGY TODAY, 33,34 (June 1986).

<sup>97</sup> *Id.*

<sup>98</sup> *Id.*

<sup>99</sup> *Id.* at 34-35.

<sup>100</sup> L.F. Doherty, et. al., *In Utero Exposure to Diethylstilbestrol (DES) or Bisphenol-A (BPA) Increases EZH2 Expression in the Mammary Gland: An Epigenetic Mechanism Linking Endocrine Disruptors to Breast Cancer*. 1 HORMONES & CANCER, 146–55 (2010), <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3140020>.

<sup>101</sup> Walt Heyer, PAPER GENDERS, 17-18 (Make Waves Publishing, 2011). Heyer is an example of the childhood trauma creating anxiety and GID scenarios discussed by Zucker and Bradley, having been traumatized by his grandmother dressing him in girl’s clothing and communicating acceptance only when he appeared to be a girl. *Id.*

<sup>102</sup> *Id.*

<sup>103</sup> *When Sex Changes Are Involuntary*, supra, note 54, citing *The New Zealand Edge*, 2001; see also, NOVA, *Sex Unknown*, at 8.

<sup>104</sup> *When Sex Changes Are Involuntary*, supra, note 54, citing *The New Zealand Edge*, 2001.

<sup>105</sup> *Id.* at 20.

<sup>106</sup> *Hare*, 666 N.W.2d at 432.

<sup>107</sup> See e.g., Milton Diamond, Ph.D. & H. Keith Sigmundson, M.D., *Sex Reassignment at Birth: A Long Term Review and Clinical Implications*, 151 ARCHIVES OF PEDIATRICS AND ADOLESCENT MEDICINE 298 (1997) (raising questions about Money’s work in Reimer case); Paul R. McHugh, *Transgender Surgery Isn’t the Solution*, WALL STREET JOURNAL, June 12, 2014, <http://www.wsj.com/articles/paul-mchugh-transgender-surgery-isnt-the-solution-1402615120> (describing why he closed the clinic started by Money).

<sup>108</sup> McHugh, *Transgender Surgery Isn’t the Solution*.

<sup>109</sup> Paul R. McHugh, *Transgenderism: A Pathogenic Meme*, PUBLIC DISCOURSE, June 13, 2015, <http://www.thepublicdiscourse.com/2015/06/15145/>.

<sup>110</sup> McHugh, *Transgender Surgery Isn’t the Solution*.

<sup>111</sup> Paul R. McHugh, *Surgical Sex Why We Stopped Doing Sex Change Operations*, FIRST THINGS (November 2004), <http://www.firstthings.com/article/2004/11/surgicalsex>.

<sup>112</sup> *Id.*

<sup>113</sup> *Id.*

<sup>114</sup> *Id.*

<sup>115</sup> *Id.*

<sup>116</sup> *Id.*

<sup>117</sup> *Id.*

<sup>118</sup> *Id.*

<sup>119</sup> *Id.*

<sup>120</sup> *Id.*



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- 121 *Id.*
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- 123 Jeffrey Satinover, M.D. HOMOSEXUALITY AND THE POLITICS OF TRUTH, 113-17 (Baker Books, 1996), citing W. Byne and B. Parsons, *Human Sexual Orientation: The Biologic Theories Reappraised*, ARCHIVES OF GENERAL PSYCHIATRY, 50, no. 3, at 228-39.
- 124 Richard P. Fitzgibbons, M.D. *et. al.*, *The Psychopathology of “Sex Reassignment” Surgery Assessing Its Medical, Psychological, and Ethical Appropriateness*, THE NATIONAL CATHOLIC BIOETHICS QUARTERLY, 97, 103 (Spring 2009): There is no scientific evidence to support the conclusion that gender identity disorder is biological in origin.
- 125 *Id.*
- 126 *Id.* at 118.
- 127 Miriam Grossman, M.D., YOU’RE TEACHING MY CHILD WHAT? 163-66 (Regnery 2009).
- 128 *Id.* at 164.
- 129 *Id.*, citing Larry Cahill, *Why Sex Matters for Neuroscience*, 7 NATURE REVIEWS NEUROSCIENCE, 477-84 (2006).
- 130 *Id.* at 165.
- 131 *Id.*
- 132 *Id.* at 168.
- 133 Fitzgibbons at 103, citing Kenneth J. Zucker and Susan J. Bradley, GENDER IDENTITY DISORDER AND PSYCHOSEXUAL PROBLEMS IN CHILDREN AND ADOLESCENTS, 262–263 (New York: Guilford Press, 1995) and Susan Bradley, AFFECT REGULATION AND THE DEVELOPMENT OF PSYCHOPATHOLOGY, 201 (New York: Guilford Press 2003).
- 134 *Id.* at 104.
- 135 *Id.* at 113.
- 136 *Id.* at 106, citing Kenneth J. Zucker *et al.*, *Psychopathology in the Parents of Boys with Gender Identity Disorder*, 42.1 JOURNAL OF THE AMERICAN ACADEMY OF CHILD AND ADOLESCENT PSYCHIATRY 2–4. (January 2003).
- 137 *Id.* at 114.
- 138 *Id.* at 107, citing Zucker, GENDER IDENTITY DISORDER, at 282.
- 139 *Id.* at 118.
- 140 *Id.*
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<sup>150</sup> *Id.* at 420.

<sup>151</sup> *Id.*

<sup>152</sup> McHugh, *Transgender Surgery Isn't the Solution*.

<sup>153</sup> Grossman, YOU'RE TEACHING MY CHILD WHAT?, 165-68.

<sup>154</sup> American College of Obstetrics and Gynecology, Committee on Health Care for Underserved Women, Opinion No. 512: *Health Care for Transgendered Individuals* at 1 (December 2011), <http://www.acog.org/Resources-And-Publications/Committee-Opinions/Committee-on-Health-Care-for-Underserved-Women/Health-Care-for-Transgender-Individuals>.

<sup>155</sup> U.S. Department of Justice, Office for Victims of Crime, *Responding to Transgender Victims of Sexual Assault, Language*, June 2014, [http://www.ovc.gov/pubs/forge/about\\_language.html#transgender](http://www.ovc.gov/pubs/forge/about_language.html#transgender).

<sup>156</sup> *Id.* In fact, FORGE, a transgender advocacy organization that receives funding from the Justice Department, has published a memorandum listing 101 terms used by people identifying as “transgender” and their allies.

<sup>157</sup> Shannon Price Minter, *Do Transsexuals Dream of Gay Rights? Getting Real about Transgender Inclusion*, in TRANSGENDER RIGHTS, Paisley Currah, Richard M. Juang, & Shannon Price Minter, eds. (University of Minnesota Press, 2006), page 159, citing Leslie Feinberg, TRANSGENDER WARRIORS: MAKING HISTORY FROM JOAN OF ARC TO DENNIS RODMAN, x (Beacon Press 1996).

<sup>158</sup> Research indicates that children can identify the two sexes and which one they are by about age two. See Carol L. Martin & Diane N. Ruble, *Patterns of Gender Development*, 61 ANNUAL REV. PSYCHOL. 353 2009.

<sup>159</sup> McHugh, *Transgender Surgery Isn't the Solution*.

<sup>160</sup> See *Ulane v. Eastern Airlines, Inc.*, 742 F.2d 1081, 1085-86 (7th Cir. 1984) (detailing the various attempts to expand the definition of “sex” in Title VII beyond the biological definition).

<sup>161</sup> *Id.* at 1084; *Etsitty v. Utah Transit Authority*, 502 F.3d 1215, 1222 (10th Cir. 2007); *Sommers v. Budget Marketing, Inc.*, 667 F.2d 748, 750 (8th Cir. 1982).

<sup>162</sup> Richard A. Posner, SEX AND REASON, 26-27 (Harvard University Press, 1992).

<sup>163</sup> In addition, Congress explicitly excluded both transsexuality and transvestism as recognized disabilities under the Americans with Disability Act, 42 U.S.C. §12208, and the Rehabilitation Act of 1973, 29 USC §706(8)(F)(i). William N. Eskridge, Jr. and Nan D. Hunter, SEXUALITY, GENDER AND THE LAW 1443 (2d Edition, 2004, Foundation Press).

<sup>164</sup> *Macy v. Dep't of Justice*, EEOC Appeal No. 0120120821, 2012 WL 1435995 (April 20, 2012) (ATF employee). See also, *Jameson v. U.S. Postal Service*, EEOC Appeal No. 0120130992, 2013 WL 2368729 (May 21, 2013) (intentional misuse of the employee's new name and pronoun may cause harm to the employee, and may constitute sex based discrimination and/or harassment); *Complainant v. Dep't of Veterans Affairs*, EEOC Appeal No. 0120133123, 2014 WL 1653484 (Apr. 16, 2014) (a sex discrimination allegation involving the failure to revise agency records pursuant to changes in gender identity stated a valid Title VII claim).

<sup>165</sup> *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989).

<sup>166</sup> *Macy*, 2012 WL 1435995.

<sup>167</sup> *Lusardi v. Dep't of the Army*, EEOC Appeal No. 0120133395, 2015 WL 1607756 (April 1, 2015).

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168 *Id.*

169 *Johnston v. University of Pittsburgh*, 2015 WL 1497753 at \*12 (W.D. Penn. 2015).

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171 U.S. Department of Education, Office of Civil Rights, TITLE IX RESOURCE GUIDE, 2 (April 2015), <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf>.

172 Statement of Interest of the United States in Support of Motion for Preliminary Injunction, *G.G. v. Gloucester County School Board*, E.D. of Virginia Case No. 4:15-cv-54, Document No. 28 (June 29, 2015).

173 *Id.* at 5.

174 *Id.* at 6.

175 *Id.* at 6-7.

176 Minutes of Proceedings before Judge Robert G. Doumar, *G.G. v. Gloucester County School Board*, E.D. of Virginia Case No. 4:15-cv-54, Document No. 47 (July 27, 2015).

177 U.S. Department of Education, Office for Civil Rights, SEXUAL HARASSMENT : IT’S NOT ACADEMIC, 3 (2008), <http://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf>.

178 *Id.* at 6.

179 *Id.* at 7-8.

180 *Id.* at 10.

181 *See e.g., G.G. v. Gloucester County School Board*, E.D. of Virginia Case No. 4:15-cv-54; *Johnston v. University of Pittsburgh*, 2015 WL 1497753 at \*12 (W.D. Penn. 2015).

182 Indeed, most of the cases brought by transgender students have involved demands to use the facilities designated for their “gender identity” and not single unisex facilities which would not affect other students. *See G.G. v. Gloucester*.

183 *See* Walt Heyer, *Public School LGBT Programs Don’t Just Trample Parental Rights. They Also Put Kids at Risk*, PUBLIC DISCOURSE, June 13, 2015, <http://www.thepublicdiscourse.com/2015/06/15118/>.

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189 U.S. Department of Education, Office of the Under Secretary, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, 2004, prepared by Dr. Charol Shakeshaft.

190 *Id.* at 17-18.

191 *Id.* at 18.

192 *Id.* at 32.

193 *See G.G. v. Gloucester*.

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195 Lauren Funk, *Schools Need to Teach Orgasm, Say US Teachers to UN*, July 7, 2011, [https://c-fam.org/friday\\_fax/schools-need-to-teach-orgasms-say-us-teachers-to-un/](https://c-fam.org/friday_fax/schools-need-to-teach-orgasms-say-us-teachers-to-un/).

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197 *Id.*

198

*Id.*

199

*Id.*

200

*Id.*

201

See e.g., Robie H. Harris, *IT'S PERFECTLY NORMAL: A BOOK ABOUT CHANGING BODIES, GROWING UP, SEX AND SEXUAL HEALTH*, (Candlewick Press, 10<sup>th</sup> Ed., 2004), essentially written by Planned Parenthood designed for ages 10 and up, featuring explicit full frontal nudity; Debra Haffner, ed. *FACING FACTS: SEXUAL HEALTH FOR AMERICA'S ADOLESCENTS* (SIECUS 1995) published by the Sexuality Information and Education Council of the United States, which was founded by the Kinsey Institute and is supported by Playboy and Planned Parenthood.

202

Hillias J. Martin, Jr. and James R. Murdock (Neal-Schuman Publishers, 2007). Martin and Murdock are homosexual partners and young adult librarian and journalist, respectively. Neal-Schuman Publishers is an imprint of the American Library Association.

203

*Id.* at 65.

204

*Id.* at 67.

205

*Id.* at 109-14.

206

*Id.* at 114.

207

<http://libcat.fcps.edu/uhtbin/cgisirsi/?ps=SQ6fqsqrhw/305/39120184/88>

208

<http://libcat.fcps.edu/uhtbin/cgisirsi/?ps=d4CzGxVGt4/305/39120184/88>

209

<http://libcat.fcps.edu/uhtbin/cgisirsi/?ps=Ybbp1nEuXz/305/39120184/69/>

#### HOMOSEXUALITY/ SUBJECTS

210

<http://libcat.fcps.edu/uhtbin/cgisirsi/?ps=vAcTbMuntu/305/39120184/88>

211

<http://libcat.fcps.edu/uhtbin/cgisirsi/?ps=r0w7e7DeFV/305/39120184/88>

212

*Serving Lesbian, Gay, Bisexual, etc.*, at 152.

213

*Id.*

214

*Id.* at 143-67.

215

*Id.* at 161.

216

*Id.* at 141-42.

217

*Id.*

218

*Id.*

219

*Id.*

220

Ten unduplicated months at two magazines per year over five years were analyzed using a pretested coding instrument on both samples. The resulting data were classified and tabulated by language variables (.80 IRR) with the simple frequencies and cross-tabulations identified *Washingtonian* and *Advocate* solicitation characteristics.

221

*The Advocate* and the *Washingtonian* (1988-1992). A stratified random sample of *The Advocate*: July 5, 1988; December 20, 1988; January 3, 1989; November 21, 1989; April 10, 1990; October 9, 1990; May 7, 1991; September 10, 1991; March 24, 1992; June 30, 1992 and the *Washingtonian*: January 1988; December 1988; February 1989; November 1989; March 1990; October 1990; April 1991; September 1991; May 1992; August 1992.

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[www.drjudithreisman.com/archives/rj%20briefing%20book.pdf](http://www.drjudithreisman.com/archives/rj%20briefing%20book.pdf);

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<sup>252</sup> Moore, *Hillsboro High*.

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<sup>263</sup> *Id.*

<sup>264</sup> *Id.*

<sup>265</sup> Moore, *Hillsboro High*

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<sup>267</sup> Moore, *Hillsboro High*, citing transgender student's statement that those who objected to his using the girls' locker room and bathroom were "bigots."

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