

***Just the Facts About Sexual Orientation and Youth* demonstrates an irrational phobia of the ex-gay community.** It recommends censorship of ex-gay materials in schools and tries to deny the right of ex-gays to be open about their orientation. Its opposition to sharing school access with ex-gay representatives demonstrates its own disregard for diversity and equal treatment.

Ex-gays have the same rights as gays do and should not be shut out of schools or silenced as *Just the Facts* recommends. Many schools' sexual orientation non-discrimination policies would prohibit the distribution of an discriminatory booklet like *Just the Facts*. Public officials may not impose discriminatory burdens or unequal treatment on ex-gays and their supporters. Students and teachers have the right to equal access of ex-gay information on the same distribution basis as gay information.

Just the Facts mischaracterizes the nature and purpose of ex-gay organizations and transformational ministries. **It issues biased opinion statements with no factual basis.**

***Just the Facts* should not be used in public school systems because it raises serious Constitutional issues.** It advocates a one-sided religious viewpoint. *Just the Facts* endorses faith organizations that condone homosexuality and at the same time criticizes transformational ministries for believing that freedom from homosexuality is possible through faith. The pamphlet fails to include arguments for any other religious viewpoint or religious organization which disagrees with its own religious views. It lists as a resource a gay affirming religious organization yet public schools cannot endorse or promote one religious view over another.

The use of *Just the Facts* by the Montgomery County, Maryland Board of Education as a resource for teachers in its sex education curriculum was one of the grounds for our lawsuit against the school board. In that case, a United States District Court granted our request for a temporary injunction prohibiting the Montgomery County, Maryland public schools from implementing its curriculum. (See *Citizens for A Responsible Curriculum & PFOX v. Montgomery County Public Schools*, U.S. District Court for the District of Maryland, 2005 WL 10756345.) Because the federal court was "deeply troubled" over the discrimination present in the materials, the court ruled that plaintiffs would likely prevail at trial on First Amendment claims of viewpoint discrimination and an establishment clause violation. As a result, the Board of Education was forced to remove *Just the Facts* and all other anti-ex-gay and anti-religious materials as school resources.

Just the Facts lists the National Education Association (NEA) as an endorser, but fails to recognize the **National Education Association's Ex-Gay Educator's Caucus**, an official caucus of the NEA which promotes ex-gay equal access to public schools. In lieu of *Just the Facts*, a hateful and grossly inaccurate pamphlet, we urge schools to use *Purposes of the National Education Association Ex-Gay Educators Caucus*. This pamphlet explains the goals sought by ex-gay teachers for diversity, tolerance, and equality for all -- including both ex-gays and gays.

Sincerely,

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