

# FACT SHEET

## on the [Proposed Board Policies](#) for Grapevine-Colleyville ISD

### Core Summary

- **In order to thrive in a democratic society, students require an accurate and inclusive education so that they better understand the lives, cultures, and experiences of different people. This includes learning about the history of and discussing race, gender, and systemic inequity.**
  - GCISD's policy will prevent students from learning from the past, gaining a full understanding of history, or exercising critical thinking about the present.
  - GCISD's policy particularly attempts to erase the history of racism and continuing racial inequity from education in the district. It is essential that all students understand the ongoing impact of racism in the United States so that they are equipped to learn from those mistakes and build a better future. The history of racism and racial injustice in this country is fundamental to understanding the United States today.
  - The same is true for GCISD's attempt to erase the history of sexism and continuing gender inequity, as well as the existence of transgender and non-binary people.
  
- **It is essential that all students learn about Black, Brown, and LGBTQ+ people in school curricula and books, and that classroom learning and discussion is not censored to erase those identities.**
  - **Censoring books and censoring teaching about discrimination stigmatizes the identities of people who are Black, Brown, and LGBTQ+ and invalidates their experiences.**
  - **With this proposed policy, Black, Brown, and LGBTQ+ students will not find themselves or the experiences of their communities reflected in GCISD curriculum, books, or discussions.** This will send the message to these students that they do not belong in GCISD and are not part of the community. It will likely lead to worse educational and mental health outcomes for these

students—including potential contribution to death by suicide of LGBTQ+ students.

- As one LGBTQ+ student in a Texas high school eloquently [said](#), “As I’ve struggled with my own identity as a queer person, it’s been really, really important to me that I have access to these books. And I’m sure it’s really important to other queer kids. You should be able to see yourself reflected on the page.”
- o **Exposure to diverse perspectives is essential to prepare students for their future in our diverse democracy.** It’s important for all students to learn about and understand the contributions and struggles of different groups to fully participate in our country.
  - History lessons and books from diverse authors and with diverse characters are important tools for students to better understand the contributions and struggles of students different from them.
- **GCISD’s new policy violates the First Amendment and will restrict students’ right to learn and talk about ideas — especially ideas related to Black, Brown, and LGBTQ+ identities, systemic inequality, and the history of inequality.**
  - o The First Amendment protects students’ right to access and discuss these ideas, including in school settings.
  - o GCISD’s policy repeatedly uses sweeping, vague language to bar learning about and discussing topics related to race, gender, and LGBTQ+ issues in the classroom. While the policy has an exception for students’ private speech, it’s clear that students won’t be able to speak on these topics in the classroom because teachers moderating curriculum and classroom discussion are unable to do so. And it’s *not* clear how far these prohibitions go, because the language of the policy is so broad and vague. This will chill classroom discussion and violate students’ First Amendment rights.
    - The policy bars discussion of ideas “connected to” “critical race theory” and “systemic discrimination ideologies,” but neither of those terms is defined. This broad and vague bar will chill student speech.
    - The policy does not clearly define “Gender Fluidity.” It’s not clear exactly what speech is barred, and it could even extend to discussions that include trans or gender-nonconforming book characters or historical figures.
  - o The policy’s bar on books and materials related to these topics is even broader: anything that “adopts, supports, or promotes” forbidden topics cannot be generally accessed by students. This will severely limit students’ access to information, in violation of the First Amendment.

- **Together, the book bans and anti-inclusive education policies will harm students’ education and will likely cause significant teacher departures from GCISD.**
  - Students will not have access to the same information on the United States’ history of racism and discrimination or racial and gender (including LGBTQ+) inequity today. That will lead to worse educational outcomes, including potentially worse performance on AP exams and in college.
  - GCISD retirements and resignations [increased 40%](#) this past year. Districts that ban books and limit what teachers can say in the classroom tend to have worse teacher attrition rates, which then worsens student educational outcomes.

**The proposed policies will restrict student access to ideas in classrooms and libraries.**

- Proposed Policy: EFA (Local) - Instructional Resources, Instructional Materials
  - The policy bars the use of instructional materials “that adopt, support, or promote subject matter that has been prohibited by law or by the District, including any such instructional resources described in EMB(LOCAL).”
  - The vague definition of “prohibited materials” in this policy, combined with the broad bar against their “use, introduction, or provision to any students,” creates a **strong chilling effect on the materials that teachers use in the classroom**. It could dramatically limit the educational materials that teachers feel comfortable using or providing in the classroom.
  - This policy also provides for regular review of instructional resources related to “human sexuality” and requirements that teachers affirmatively justify such content. This will likely have a chilling effect, leading to fewer teachers using resources they consider falling within this category in the classroom. Depending on how teachers interpret the policy, it may have a **chilling effect on LGBTQIA+ content in classrooms**.
  - The policy requires instructional materials to be selected to “represent[] many ethnic, religious, and cultural groups,” but notably **omits race** from consideration.
- Proposed Policy: EFB (Local) - Instructional Resources, Library Materials
  - This policy authorizes and **directs school librarians to police the content of the books students read** and thus the ideas they encounter. It allows parents “to share any considerations regarding their students’ book selections.”

- o Both the library materials and the instructional materials policy **falsely imply that librarians risk violation of Texas’s criminal prohibition** on distributing harmful materials to minors. **But that Texas law in fact ensures that librarians as trusted professionals cannot be prosecuted.**
  - o **The opt-in rather than opt-out requirement for parental consent is burdensome** and flips the longstanding ordinary assumption—that school library shelves are open to all students—on its head. It will unfairly prevent students from accessing books.
  - o The policy has additional criteria for fiction, memoirs, and biographies, including graphic novels. These materials must be “integral or supplemental to the instructional program,” and memoirs and biographies must “present information with the greatest degree of accuracy and clarity.” **These criteria are vague and stifling. They risk weeding out books of significant enrichment value to students.** For example, is a novel that might contribute to a love of reading for a student always truly “supplemental to the instructional program”? And does *The Diary of Anne Frank* “present information with the greatest degree of accuracy and clarity”?
  - o **This policy dilutes the power of librarians, trained professionals, over the process of collection acquisition and review.** Removing decisions over book acquisition from these trained professionals is a mistake with potentially significant consequences for students’ library experiences and ultimately their education.
  - o **The 10-year bar on the reintroduction of banned books is draconian.** It does not account for the possibility of error or shifting community norms.
  - o Canceling the Scholastic Book Fair, and the policy’s related limitations on book fairs, deprives students of an opportunity to develop a love of reading.
- Proposed Policy: FNAA (Local) - Student Expression, Distribution of Nonschool Literature
    - o This policy will have a chilling effect on student speech by limiting student distribution of written or printed materials and photographs. It is especially problematic because the policy is so vague that students cannot know ahead of time what they can and can’t distribute.
  - Proposed Policy: GKDA (Local) - Nonschool Use of School Facilities, Distribution of Nonschool Literature
    - o This policy will have a chx effect on speech by limiting distribution of campus materials not developed from a school perspective, for similar reasons.

**The proposed policies will restrict education on race, gender, and LGBTQ+ issues, including the history of racism and systemic discrimination. They will also restrict teaching that incorporates social-emotional learning.**

- Proposed Policy: EMB (Local) - Miscellaneous Instructional Policies, Teaching About Controversial Issues
  - **This policy will severely limit teaching and discussion of the history of racism and sexism and race and gender issues in GCISD.** This policy has an extreme bar on teaching ideas related to the history of racism in the United States and race and gender inequity—to our knowledge, the most extreme anywhere in Texas. It goes even further than the new Texas law Senate Bill 3.
    - The policy bars GCISD teachers and administrators from “teaching, instructing, advocating, promoting, or discussing any ideas, beliefs, concepts, theories, principles, rules, thoughts, or impressions that have any connection to, relationship with, refer to, are influenced by, or are otherwise consistent with so-called ‘Critical Race Theory’ or systemic discrimination ideologies,” which it calls “CRT/SDI.”
      - The bar on teaching the history of racial inequity in the United States and its present-day consequences—which is what this policy is clearly targeting—is racist.
      - This is extremely broad and vague. The policy does not define “Critical Race Theory” or “systemic discrimination ideologies.” It will be extremely difficult for teachers and administrators to know if what they seek to teach is forbidden by the district.
      - This policy will particularly harm Black and Brown students. It sends the message that the history and present-day experiences of Black and Brown people in the United States are unimportant and invalid.
      - Ultimately, this policy will harm the education of all students in GCISD. It will significantly restrict lesson plans and the conversations that teachers have with students. In social studies and English classes, for example, teachers are likely to limit the ideas they discuss in order to comply with the policy.
        - The breadth and vagueness of the policy means that a wide range of educational content will be predictably chilled. For example, is discussing racial profiling by police in a high school civics class barred by the policy? Is discussing the history of lynching in the United States and its repercussions in the present barred by the policy?

- o Any teaching materials or library books “that adopt, support, or promote” these forbidden concepts on the teaching of race and racism and systemic discrimination must be kept in a parental consent area of the library. This will severely limit students’ access to these ideas.
  - This language is, again, extremely broad and vague—it is difficult to know what materials will qualify as “adopting, supporting, or promoting” these concepts.
- o **The proposed policy also undermines effective, research-based teaching and learning incorporating social emotional learning (SEL) concepts.** It lists social-emotional learning concepts with which the district agrees but then bars requiring district personnel “to adopt, support, or otherwise promote SEL concepts that conflict with District policy, or are inconsistent with the District’s education goals.”
  - Social-emotional learning programs help students reflect on their actions and emotions, introduce emotional intelligence, and build intersocial skills among peers. SEL programs are supported by research in psychology, counseling, and child development to promote students’ learning in the classroom and as they navigate social settings, peer interactions, and major life events.
  - Attacking SEL is particularly dangerous and reckless given the continued rise in school safety concerns and the challenges of supporting students in the wake of the COVID-19 pandemic. SEL is an important framework for preventing and responding to school misbehavior and violence by helping students establish healthy school relationships and addressing the root causes that lead to unhealthy behaviors.
  - Like with books on systemic discrimination, instructional resources “that adopt, support, or promote” such SEL concepts must be kept in the parental consent area created by EFB (Local), the library policy. This compounds the harm of this vague provision, as school officials are likely to remove access to lawful and research-based resources.
- o **The policy will likely chill student classroom discussion of race and racism, systemic discrimination, and LGBTQ+ issues.** The policy has an exception that allows students to “form student-led groups” on these topics “or otherwise discuss these topics privately,” but it makes no exception for classroom discussion. And it’s extremely difficult to imagine how a teacher could moderate such classroom discussion given the severe restrictions on teacher speech.

**The proposed policies will limit schools’ ability to effectively evaluate student needs to address disparate educational experiences and outcomes.**

- Proposed Policy: AIB (Local) - Accountability, Performance Reporting
  - This policy bars “using any District resource, funds, property, or personnel to adopt, support, or promote Critical Race Theory or Systemic Discrimination Ideologies,” in extremely broad and vague language. Like EMB (Local), it will likely have the effect of severely limiting teaching and discussions of the history of racism and sexism and current race and gender issues—including in extracurricular activities.
  - This policy specifically bars “equity audits” not required by state or federal law to analyze GCISD data. This appears to be an effort to prohibit analysis of GCISD data along demographic lines, including race and gender.
    - [Equity audits](#) provide schools and districts with clear indicators for how well they are meeting the needs of their students and which areas need more attention.
    - This will limit insights into the ways in which students have different educational outcomes and experiences in the district along demographic lines—especially race and gender. Without insight into these differences, intervention to address them will be impossible, and inequities will grow.

**The proposed policies are anti-LGBTQ+, especially anti-trans.**

- Proposed Policy: EMB (Local) – Gender Identity and Fluidity<sup>1</sup>
  - **The “Don’t Say Gay” provision, in the first paragraph of GCISD’s policy, prevents elementary school teachers from even *mentioning* sexual orientation or gender identity, including their own.**
    - We know from the implementation of similar legislation in states like Florida that this will disproportionately impact LGBTQIA+ teachers, students, and families.
    - This policy raises significant First Amendment concerns similar to those currently being litigated in multiple lawsuits in Florida after the passage of a bill with nearly identical language.
    - In 2020, after punishing a lesbian teacher who disclosed her sexual orientation by simply showing pictures of her wife at school, [Mansfield ISD](#) was sued for discrimination and had to pay over \$100,000.
    - The Supreme Court made it clear in *Bostock v. Clayton County Georgia* that LGBTQIA+ employees are fully protected in the workplace, including schools. GCISD cannot stop teachers from being who they are.

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<sup>1</sup> Page 34 of linked policy proposal

- LGBTQIA+ students, teachers, and families are part of our communities and GCISD cannot pass a policy attempting to censor and erase their existence by borrowing language from an anti-LGBTQ+ policy from Florida.
- o **GCISD’s policy is scientifically unsound. All major medical associations in the United States agree that gender and sex are *not* immutably fixed at birth.**
  - GCISD’s policy bans *all* district personnel, regardless of grade level, from discussing “gender fluidity”.
  - “Gender Fluidity” is not clearly defined or a term that is understood by teachers, students, or staff. GCISD’s policy attempts to redefine this term in the same breath as banning it will lead to people being targeted and harmed simply for supporting basic science or expressing who they are.
  - This could impede high school science teachers from addressing the full spectrum of topics relating to sex and gender. This is especially harmful because it erases intersex individuals who make up 1.7% of the population.
  - The policy also places books or materials that “adopt, support, or promote” “Gender Fluidity” in a restricted section of the library—limiting students’ access to any books related or even mentioning transgender, non-binary, or gender-nonconforming characters.
  - GCISD cannot erase LGBTQIA+ people, nor can a government entity ban all information about them from the school environment.
- o **GCISD’s attempt to ban the use of pronouns and titles for only trans, non-binary, and gender diverse students and teachers is an unnecessary and cruel form of discrimination.**
  - Titles and pronouns are neither political, partisan, nor controversial. Using someone’s name and pronouns is a matter of common human decency and basic respect.
  - This policy seeks to expand areas of life from which trans people are banned by borrowing language directly from the transgender athlete ban passed by the Texas Legislature in 2021.
    - This attempts to erase transgender and non-binary students’ existence and establishes a default of rejecting their identity at school.
    - In the case of a child with an affirming parent or guardian: GCISD’s policy grants teachers and administrators the right to disregard all requests to use a specific title or pronoun for a student if they choose.
    - This will lead to situations where a student may be referred to differently by various teachers and staff



members, effectively outing that student as transgender or non-binary and inviting bullying and harassment.

- Any student who is considered too masculine or too feminine could be targeted and asked if their sex is “correctly stated” on their birth certificate. Any disgruntled parent or person could potentially use this policy as a weapon to challenge the sex of any student as a result.
  - The Texas Association of School Boards (TASB)’s [guidance](#) is clear that students’ chosen names and pronouns should be used at all times by school personnel when interacting with those students.
  - A [recent study](#) from the University of Texas at Austin found that transgender and non-binary students are significantly less likely to attempt suicide when their pronouns are respected at school.
  - Courts across the country have found that it is gender-based harassment for school districts to refuse to use a student’s preferred name and pronouns.
  - A policy banning teachers and staff from using students’ chosen pronouns except in extremely limited circumstances could lead to significant legal liability, the loss of federal funding, and devastating mental health outcomes for students.
- Proposed Policy: CLA (Local) – Bathroom Policy<sup>2</sup>
    - This policy seeks to keep transgender, gender diverse, and gender nonconforming students out of the multiple-occupancy bathrooms respective to their gender identity.
    - The policy seeks to narrowly define biological sex according to the same language promoted and passed by anti-trans groups during the 2021 legislative session.
      - The policy states that people can still use the restroom if their birth certificate contains a “clerical or scrivener’s error,” but it is not clear who would make that determination.
    - Under this policy, the district may make “reasonable accommodations upon request,” but there is no explanation of how this would work.
    - Even if a request for accommodation is granted, any intersex, transgender, or non-binary person would be forced to “out” themselves if they need to use a restroom that does not reflect the sex entered on their birth certificate at birth.
    - **This policy will lead to teachers, staff, and students policing each other’s restroom access and invading the privacy of their peers. It will result in bullying, harassment, and cruelty towards transgender and intersex students.**

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<sup>2</sup> Page 30 of linked policy proposal