# Supreme Court hears challenge over parental rights to opt children out of LGBT+ inclusive lessons



The Supreme Court heard arguments on Tuesday in a significant case brought by a group of religious parents from Maryland who seek the right to remove their children from classroom lessons that include storybooks featuring LGBT+ characters. The legal challenge centres on whether Montgomery County Public Schools must maintain an opt-out policy for students whose parents object to certain themes on religious grounds.

In advance of the hearing, the nine justices reviewed various children’s books at the heart of the dispute. These included titles such as *Pride Puppy*, which explores the alphabet through the story of a young girl whose puppy runs loose during a pride parade, and *Uncle Bobby’s Wedding*, which follows a girl worried she will see less of her favourite uncle after he marries his boyfriend. The plaintiffs argue that these books “promote one-sided transgender ideology, encourage gender transitioning, and focus excessively on romantic infatuation.”

The case represents a conflict between religious freedom claims by parents and school efforts to reflect community diversity through inclusive education. The Montgomery County Board of Education had previously offered an opt-out policy for lessons involving such materials, but discontinued it after determining that allowing students to opt out caused classroom disruptions.

During oral arguments, Justice Samuel Alito acknowledged the moral dimension of *Uncle Bobby’s Wedding*, stating, “It has a clear moral message. And it may be a good message. It’s just a message that a lot of religious people disagree with.” In reply, Justice Sonia Sotomayor questioned the basis of concern, noting that the book neither challenges the morality of same-sex marriage nor contains images of two men kissing. Sotomayor further asked, “Haven’t we made very clear that the mere exposure to things that you object to is not coercion?”

The consequences of an opt-out policy also featured prominently in the discussion. Justices Sotomayor and Ketanji Brown Jackson expressed apprehension about the practical challenges of implementing such policies within classrooms, highlighting that Montgomery County had removed the opt-out option due to its disruptive effects.

Justice Elena Kagan raised concerns about the potential breadth of a ruling favouring parental opt-outs, pointing to the difficulty in balancing parental rights with school administrators’ authority to determine curriculum. Justice Brett Kavanaugh, a Montgomery County resident, remarked on the unexpected nature of the dispute, given the county’s diverse population. He said, “I'm surprised this is the hill to die on in terms of not respecting religious liberty,” referencing the school board’s intentions to incorporate educational content that reflects its community.

Justice Neil Gorsuch sought specific details about the content of the books, including an inquiry into *Pride Puppy*, asking whether the book, intended for pre-kindergarten children, included references to “leather and bondage” or a “sex worker.” Counsel representing Montgomery County Public Schools denied these characterisations, clarifying that a woman depicted in the book is shown wearing a leather jacket without any such connotations.

This case is emblematic of broader debates over parental rights and religious considerations in public education, issues that have increasingly come before federal courts over recent years. The Supreme Court has in recent decisions largely supported claims of religious discrimination.

A ruling in this case, titled *Mahmoud v. Taylor*, is anticipated by early summer. The outcome may significantly influence the balance between parental rights regarding children’s exposure to educational content and the discretion of school authorities in curriculum choices.

Source: [Noah Wire Services](https://www.noahwire.com)

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