



# LGBTQ+ Inclusive Curriculum:

## What School Staff Need to Know About Mahmoud v. Taylor

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### Overview

The Supreme Court ruled in *Mahmoud v. Taylor* that parents in Maryland have the right to opt their children out of certain LGBTQ+-inclusive lessons in elementary schools based on religious objections. The ruling may introduce complications for schools incorporating themes of inclusion into curricula and instructional practices. School leaders and decision-makers understandably have questions about the decision's practical implications for day-to-day classroom practices.

District staff and school leaders in your community may be trying to determine whether the decision necessitates changes or modifications to their current policies. The answer is... maybe. The implications of *Mahmoud v. Taylor* are nuanced—simultaneously broad and limited in their impact.

Welcoming Schools is here to provide helpful suggestions and responses to ensure your staff and leadership are prepared to address concerns related to LGBTQ+ content, opt-out requests, and prioritizing inclusive education for students.

### Understanding the Limited Scope of the Decision

**The Mahmoud v. Taylor decision applies only to pre-planned instructional materials and does not cover spontaneous, everyday classroom interactions.**

*Mahmoud* does not prohibit teachers from responding to student questions, providing definitions, and acknowledging the identities of students and families as part of responsive instruction. Families may request opt-outs for specific lessons, but this ruling does not allow them to shield students from the presence or discussion of LGBTQ+ people in the school community.

## FAQ: What Educators Need to Know About What The Ruling Does - *and Doesn't* - Do

### **Is LGBTQ+ content banned in schools because of Mahmoud v. Taylor?**

**No.** The decision didn't ban LGBTQ+ content, but it did find that the district at the center of the case needs to allow parents to opt their child out of any materials they find contradictory to their personal religious beliefs.

### **Did Mahmoud prohibit me from discussing LGBTQ+ topics with students in the classroom?**

**No.** The decision requires the district to allow parents to opt their children out of pre-planned instruction (such as a scheduled read-aloud or specific lesson on family diversity). Mahmoud doesn't prohibit teachers from acknowledging LGBTQ+ identities or discussing LGBTQ+ topics that are not a pre-planned part of the curriculum - but of course, some states or districts may be chilled from allowing such conversations as a result of this ruling.

### **Does Mahmoud require the school to remove specific books from classrooms or school libraries?**

**No.** Mahmoud specifically refers to pre-planned curriculum, not books that students self-select. The decision provides no guidance for library books.

### **Does Mahmoud allow a family to opt their child out of interacting with or acknowledging LGBTQ+ students, staff, or families?**

**No.** Families cannot opt their child out of the reality that LGBTQ+ students, staff, and families are part of the school community. Constitutional and statutory non-discrimination protections relating to teachers, students, families and administrators remain. Educators should continue to foster an inclusive environment where all individuals are acknowledged and treated with respect. Everyday interactions are not subject to opt-out under this decision.

### **Moving Forward**

Best practices in public education have been shaped by decades of teaching, reflection, research, and implementation science. A wealth of evidence confirms that students are safest and learn best when their identities are represented in their school community. While Mahmoud v. Taylor does not change these best practices, it may discourage some educators from doing what is best for students.

Welcoming Schools encourages staff to consult with their district's legal team about concerns specific to their state and community while continuing to build affirming environments for all students.

If you are looking for a place to begin, participating in a Welcoming Schools professional development session is a great way to get started! Reach out through [welcomingschools.org](https://welcomingschools.org).