

From: [Board Communications](#)
To: [Board Communications](#)
Subject: FW: TASB Response to Texas Scorecard article
Date: Friday, January 13, 2023 4:08:18 PM
Attachments: [image001.png](#)

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Dear Directors:

Earlier this afternoon, we sent an email (see below) to the Texas Scorecard requesting corrections in an article that was published yesterday and contains many inaccuracies and erroneous attributions to TASB.

We wanted to share that email with you should you get any questions about this specific article or about the Legal FAQs developed by TASB and referenced in the story.

As always, should you want to discuss this further, please give me a call.

Sincerely,

Dan



Dan Troxell, Ph.D.

Executive Director

Texas Association of School Boards
12007 Research Blvd. • Austin, Texas 78759-2439
512.467.0222, ext. 3660 • 800.580.8272

Dear Ms. Drollinger:

I'm writing to let you know about many inaccuracies in your story about transgender students published Thursday, Jan. 12, in the [Texas Scorecard](#).

Let's start with the headline. Nowhere in TASB's FAQ resource document [Legal Issues Related to Transgender Students](#) are 'transgender' restroom policies endorsed. In fact, the document's sole purpose is to outline legal and compliance issues related to situations that school districts face related to this complex topic. To infer that TASB endorses restroom policies is a completely erroneous reading of this 13-page FAQ document.

Next, the subhead: Again, nowhere in the FAQ document does TASB "instruct schools to allow students in the restroom of the opposite gender if they claim to be transgender." That is wrong and is erroneously attributed to TASB.

In fact, virtually every sentence of your story is incorrect and not supported by fact.

Here's a list of some of those inaccuracies and our responses:

Your article: *The [Texas Association of School Boards](#) (TASB) released new legal guidelines this week instructing public schools to "affirm" gender-confused minors and allow them to use the bathroom of the opposite sex.*

Wrong.

Our response: There's absolutely no reference in the document that supports your inaccurate statement. In addition, the legal FAQs — not guidelines or directives for districts — are not new. This document was first published in 2015 and has been continuously updated since then as case law changes. In fact, your publication has referenced these legal FAQs before in other articles, so we're confused as to this inaccuracy.

Your article: *TASB instructed schools to allow gender-confused students to use the restroom of the opposite sex, even if other students and their parents raise concerns. To defend their position, the group cited Title IX of the U.S. Department of Education's sex discrimination codes and questioned the definitions of male and female.*

Wrong.

Our response: Again, there is nothing in the legal FAQs to support this erroneous assertion in your story.

Your article: *TASB also stressed that Texas Governor Greg Abbott's directive ordering the Department of Family and Protective Services (DFPS) to investigate cases of child gender mutilation as child abuse is now defunct after the Texas Supreme Court declared the order invalid.*

Wrong.

Our response: The legal FAQs referenced in your article remind school officials that the legal requirement to report child abuse remains in place. In addition, they provide updates based on recent litigation.

Your article: The organization told public school employees to use a student's "preferred name" at school and their legal name on official documents if their parents disapprove of their "gender identity."

Misleading.

Our response: The legal FAQs are much more nuanced than you lead readers to believe. In fact, the legal issues facing school districts are incredibly complex and your sloppy approach to reporting on this topic does nothing to advance understanding.

We would request that all inaccuracies in the headline, subhead and article **be corrected immediately with an editor's note that the article was updated/changed because it was substantively wrong when published.**

Should you have questions or need any assistance clarifying what is accurate, please let us know so we have an opportunity to set the record straight.

I'd note that we got no media requests from you asking questions or seeking a comment from TASB before you wrote this article. We're always happy to respond to the media and would encourage you to take the additional step in the future of asking clarifying questions on any topic, but especially those that reflect complex legal issues.

Sincerely,



Tiffany Dunne-Oldfield

Deputy Executive Director

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