



January 28, 2026

William T. Moore, Rulemaking Coordinator
Minnesota Court of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

RE: CAH Docket No. 65-9005-40585, Revisor's ID #4924

**Comment Regarding the Proposed Rules Governing K-12 Academic Standards in
Health, *Minnesota Rules* Chapter 3501**

Defending Education (DE) is a national grassroots organization dedicated to securing a high quality, value neutral education for every American student. Our organization consists of parents and students in K-12 and higher education programs across the country, including Minnesota.

The proposed permanent rules relating to academic standards in health are vague and subvert what should be a fully transparent and participatory standards development process. While the rulemaking process applies to broad health standards and do not include benchmarks, the "2025 Minnesota K–12 Health Academic Standards" approved by Minnesota Education Commissioner Willie Jett in December lays bare the intent of the Minnesota Department of Education to use the rulemaking process to stealthily advance fringe theories of sexual orientation and gender identity, propagate progressive dogmas focused on social, racial and reproductive justice, downplay the importance of the nuclear family, and prioritize “equity” and “inclusion” at the expense of emotional intelligence and personal responsibility.

The draft standards compel educators to adopt “Ethnic Studies” and “Indigenous Practices & Teachings” benchmarks that reflect the authors’ troubling preoccupation with identity politics and not scientific validity. For example, the authors appear to be willing to excuse the universally acknowledged hazards of tobacco consumption because “various cultures including Indigenous people” use tobacco and other plant medicines in “traditional” practices. Likewise, the standards appear to validate “Indigenous or traditional healing” regardless of whether researchers or medical professionals have substantiated those practices empirically. Under this framework, an educator could both condemn the use of Psilocybin (magic mushrooms) but praise the use of Mescaline (peyote cactus) because the latter is used by Indigenous people in “traditional” settings.

In addition, the draft standards support “restorative justice” and other consequence-free approaches to behavior management. Instead of teaching children the value of emotional self-regulation in rule-structured environments like schools, the authors endorse unproven, pseudo-therapeutic methods of conflict resolution. While such tactics appear to be benign and ostensibly advance equity, the truth is that restorative justice empowers bad actors and gives implicit license to their misdeeds, including

harassment, disruption, and violence. Educators deserve health education standards that reinforce practices and behaviors that preserve an orderly classroom environment.

Finally, the authors of the latest draft standards reference the work of the Society of Health and Physical Educators (SHAPE), the National Consensus for School Health Education, and the Future of Sex Initiative. The Future of Sex Initiative developed (and SHAPE America endorsed) the National Sex Education Standards (NSES), which is perhaps the most radical sex education standards ever developed for K-12 students. NSES topics for students in grades 3 – 5, for example, include hormone blockers, masturbation, sexual orientation, and the “differences between cisgender, transgender, gender nonbinary, gender expansive, and gender identity.” This is not health education; it is political indoctrination.

Fortunately, other states have developed K-12 health standards that are free from political and ideological influences. To its credit, the Minnesota Department of Education’s Statement of Need and Reasonableness (SONAR) publication cited reviews of state health standards from Hawaii, Iowa, South Dakota, Utah, and Wisconsin. Regrettably, the authors of the report did not explain the reasoning underlying the choice of states, nor did they describe the components of the respective state standards that they incorporated into the draft Minnesota K-12 Academic Standards in Health Education. If reviewers broadened their evaluation beyond these select few states, they would have found several outstanding models of health education standards to use as a basis for Minnesota’s effort, most notably Florida’s Comprehensive Health Education standards.

The Florida Department of Education initiated its review of state K-12 health standards in January 2023. As part of its commitment to ensuring all stakeholders had a seat at the table, the agency appointed a diverse group of school district staff members, school counselors, health and physical education teachers, and parents to serve on the health standards review workgroup. The workgroup met 11 times in early 2023, both in-person and online, to maximize transparency and ensure that citizens had ample opportunity to provide input on the revised standards.

Per Florida Statutes, state health standards are required to address the concepts of community health, consumer health, environment health, and family life. This includes conventional health topics such as personal hygiene and nutrition, as well as sensitive subjects such as substance abuse, sexual assault, dating violence, human trafficking, and the hazards of social media and online activity. In addition, state law requires that middle and high school health instruction include the benefits of sexual abstinence and the consequences of teenage pregnancy. Consistent with the state’s commitment to parental rights, parents may exempt their children from instruction related to reproductive health or disease by simply submitting a written request to the school principal.

Perhaps the most innovative feature of the 2023 standards revision was the inclusion of Resiliency Standards, an initiative spearheaded by First Lady Casey DeSantis. Resiliency Standards are not “social emotional learning” or an attempt to turn classroom educators into mental health counselors. Instead, it is a return to character education with the goal of cultivating an engaged and responsible citizenry, one of the original justifications for the creation of taxpayer-funded public schools.

The need for a renewed focus on character education was reinforced by input from classroom educators who observed that students need to develop strategies for resiliency through adversity, as well as cultivate the benefits of service to the community through volunteerism and civic engagement. Given

the broad consensus of the need for such instruction, experts developed Resiliency Education standards focused on 11 resiliency characteristics: perseverance, grit, gratitude, responsibility, responsible decision-making, critical thinking and problem solving, self-awareness and self-management, mentorship, citizenship, honesty, and empathy.

The Florida Department of Education created a suite of resources for educators and parents to work together in cultivating these essential skills in all Florida students. These include a list of diverse, grade-appropriate books that highlight one or more Resiliency themes, teacher resources for elementary, middle, and high school classrooms, and parent guides to reinforce classroom instruction at home. The website also includes interviews with inspiring individuals who overcame adversity and challenges in their lives.

Florida state lawmakers and education leaders recognize that health education is a necessary component to the public school curriculum. Florida's Comprehensive Health Education standards are proof positive that states can provide scientifically accurate information that is free from the ideological and political dogmas that advocacy organizations wish to impose on impressionable children.

We strongly recommend that Minnesota education leaders use Florida's Comprehensive Health Education standards as a model for public school students in the state. In its current form, state education leaders designed the Minnesota Health Standards to provide maximum license to activist educators who wish to indulge students' individual and collective sexual fantasies and gender delusions. The children of Minnesota deserve better.

Sincerely,

Nicole Neily

President
Defending Education