

24-297 MAHMOUD V. TAYLOR

DECISION BELOW: 102 F.4th 191

LOWER COURT CASE NUMBER: 23-1890

QUESTION PRESENTED:

Respondent Montgomery County Board of Education requires elementary school teachers to read their students storybooks celebrating gender transitions, Pride parades, and same-sex playground romance. The storybooks were chosen to disrupt "cisnormativity" and "either/or thinking" among students. The Board's own principals objected that the curriculum was "not appropriate for the intended age group," presented gender ideology as "fact," "sham[ed]" students with contrary opinions, and was "dismissive of religious beliefs." The Board initially allowed parents to opt their kids out-but then reversed course, saying that no opt-outs would be permitted and that parents would not even be notified when the storybooks were read.

Petitioners filed suit, not challenging the curriculum, but arguing that compelling their elementary-age children to participate in instruction contrary to their parents' religious convictions violated the Free Exercise Clause. Construing *Wisconsin v. Yoder*, the Fourth Circuit found no free-exercise burden because no one was forced "to *change* their religious beliefs or conduct."

The question presented is:

Do public schools burden parents' religious exercise when they compel elementary school children to participate in instruction on gender and sexuality against their parents' religious convictions and with-out notice or opportunity to opt out?

CERT. GRANTED 1/17/2025