



Mead School Board
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(509) 465-6014

March 11, 2025

The Honorable Linda McMahon
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary McMahon,

On behalf of the Mead School Board, we respectfully request urgent federal intervention regarding our school district's current situation. As described below, the Washington State Office of the Superintendent of Public Instruction (OSPI) has mandated that our school district revise its Gender-Inclusive Schools Policy and Procedure to conform to a state-wide model policy (3211/3211P). Doing so, however, would result in the district's violation of Executive Orders issued by President Donald J. Trump on January 20, 2025, and February 1, 2025.

Violating the Executive Orders would, at minimum, jeopardize essential federal funding for our schools. Violation of OSPI's interpretation of state law would jeopardize essential state funding for our schools.

Because of what can only be referred to as "saber-rattling" and threats to withhold state funding by OSPI, our school board made an earnest attempt to meet the requirements imposed by OSPI's interpretation of state law.

Not only is the school board facing a legal dilemma (not of its own making), but it has also been put in the untenable position of being "unable to win" with its stakeholders and constituents, the majority of whom are opposed to the concepts in OSPI is trying to enforce in policy 3211, no matter what it does. As a school board, we have thus become cannon fodder in an ongoing culture war.

This conflict (again, not of our making) threatens our district's ability to serve over 10,000 students and infringes on our authority as a locally elected school board.

Background and Legal Conflict

On February 21, 2025, OSPI issued its 2024-25 Statewide Civil Rights Review, finding our current Gender-Inclusive Schools Procedure (3211P) noncompliant with RCW 28A.642.080. OSPI has set a compliance deadline for March 24, 2025. It demands the adoption of a state-wide model

policy, citing deficiencies in our restroom access policy and our approach to pronoun use in parental communications.

Our current policy was designed to address all state requirements and elements of the law while still adhering to some local control. Indeed, our local community has expressed deep opposition to how WSSDA 3211/3211P excludes parents from critical decisions regarding their children. The state-mandated policy prohibits school staff from informing parents about their child's gender identity decisions without the student's consent, even when these decisions have significant implications for the child's well-being. This state-imposed restriction erodes the trust between schools and families and disregards the fundamental role of parents in guiding their children's development.

Our school board addressed this by genuinely attempting to find a middle ground between the state mandate and the fundamental role of parents. We did so with slight modifications to the state-mandated policy that shouldn't offend a reasonable person. Nevertheless, OSPI has taken the position that our slight modifications offend the law (as OSPI has interpreted it), and seem to offend OSPI.

Moreover, our attempt to find a middle ground still places us in conflict with three Executive Orders, as described in more detail below:

Ending Radical Indoctrination in K-12 Schooling (Jan. 20, 2025)

Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government (Jan. 20, 2025)

Keeping Men Out of Women's Sports (Feb. 1, 2025)

Each of these orders ties federal education funding to policies that align with biological sex rather than gender identity.

Thus, adopting OSPI's directive would put our district at risk of violating federal policy, potentially jeopardizing critical Title I and IDEA funds. At the same time, refusal to comply could prompt state retaliation in the form of withheld state funding, further threatening our ability to serve students in need. More importantly, this policy forces school districts to dismiss parental involvement in life-altering decisions, contradicting community values and federal principles that uphold parental rights in education.

Specific Areas of Conflict

1. Restroom and Locker Room Access

State Requirement (WSSDA 3211P per RCW 28A.642.080): Mandates access based on gender identity.

Executive Order (Feb. 1, 2025): Requires facilities to be assigned based on biological sex.

Mead Policy: Avoids explicit mandates while acknowledging state law.

Conflict: Even our current (required) policy (by adhering to state law) violates federal law, placing federal funding at risk.

2. Participation in Athletics

State Requirement: Allows participation based on gender identity.

Executive Order (Feb. 1, 2025): Bars biological males from women's sports.

Mead Policy: Ensures compliance with state law by providing opportunities for all students and deferring to a state organization charged with interscholastic athletics, the Washington Interscholastic Activity Association (WIAA).

Conflict: Again, our current policy (by adhering to state law) remains at odds with federal requirements.

3. Gender Ideology and Pronoun Use

State Requirement: Mandates staff training and pronoun policies.

Executive Order (Jan. 20, 2025 - Ending Radical Indoctrination): Prohibits federal funding for gender ideology programs.

Mead Policy: Limits pronoun use with a common-sense approach for staff.

Conflict: Even our moderated approach contradicts federal law because of other state requirements.

4. Parental Rights

State Requirement: Permits withholding gender identity information from parents.

Executive Order (Jan. 20, 2025): Requires parental transparency on sex-based policies.

Mead Policy: Provides a common-sense approach to pronoun use in communications with parents.

Conflict: OSPI's enforcement undermines federal parental rights protections.

Request for Federal Support

To navigate the conflict described above and ensure our district can both protect parental rights and comply with federal law, we respectfully request:

1. **Assurance of Federal Funding:** Confirmation that our adherence to federal mandates will not result in the loss of Title I, IDEA, or other essential education funds.
2. **Clarification of Federal Preemption:** Guidance affirming that school boards either have local control over the matters addressed in this letter or that the Executive Orders federally preempt conflicting state policies.

3. **Investigation of Civil Rights and Parental Rights Violations:** Coordination with the Department of Justice to examine WA State OSPI's directive as a potential violation of Title IX and federal protections for parental involvement in education.

Conclusion

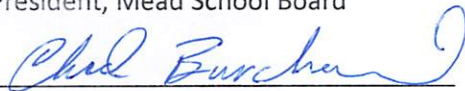
The Mead School Board is committed to fostering a school environment that respects both the rule of law and the fundamental role of parents in their children's education. However, we find ourselves caught between conflicting directives that threaten not only our federal funding but also the rights and values of the families we serve. We urge your department's immediate attention to this matter to prevent undue harm to our students and ensure that our district remains compliant with federal law.

We appreciate your leadership and look forward to your guidance. I am available for further discussion at (509) 465-6014 or michael.cannon@mead354.org.

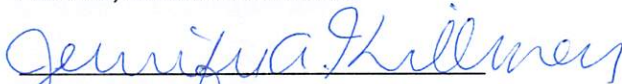
Sincerely,



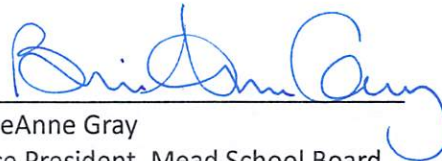
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Email CC: Representative Michael Baumgartner
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