



**U.S. Department of Justice**

Civil Rights Division

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*Office of the Assistant Attorney General*

*Washington, D.C. 20530*

April 30, 2026

**VIA Electronic Mail Only**

Dr. Anna Alvarado  
Superintendent  
Freeport School District 145  
501 E. South St.  
Freeport, IL 61032  
[anna.alvarado@fsd145.org](mailto:anna.alvarado@fsd145.org)

Re: U.S. Department of Justice Compliance Review

Dear Dr. Alvarado:

Federal civil rights laws prohibit discrimination based on sex, among other protected characteristics. Given serious concerns over the introduction of certain curricula, policies, and practices into Illinois schools, the U.S. Department of Justice, Civil Rights Division (“DOJ”) is commencing a compliance review investigation of Freeport School District 145 (“Freeport”) pursuant to Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*

DOJ is aware of the growing trend of local authorities introducing gender ideology into pre-K-12 public schools via instruction, extracurricular activities, programming, and policies concerning “sexual orientation,” “gender identity,” “gender diversity,” “gender inclusion,” and “gender expression” (collectively, “SOGI topics”). The Illinois Learning Standards (“Illinois Standards”) for “comprehensive personal health and safety education” (“health class”) and “comprehensive sexual health education” (“sex education”) are the National Sex Education Standards.<sup>1</sup> SOGI topics are embedded throughout the Illinois Standards curriculum, which begins as early as Kindergarten (i.e., for 5-year-olds) and includes “advocacy” training as early as third grade (i.e., for 8-year-olds).

Schools across the country have embedded SOGI topics in other classes, such as English and Language Arts.<sup>2</sup> DOJ is aware that in Illinois public schools, “the teaching of history shall include a study of the roles and contributions of lesbian, gay, bisexual, and transgender people in the history of this country and this State.”<sup>3</sup> Given the Illinois Standards, the scope and content of LGBT history curricula are relevant to DOJ’s inquiry—namely, to what extent, if any, they include SOGI topics.

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<sup>1</sup> See ILLINOIS STATE BOARD OF EDUCATION: SEXUAL HEALTH, <https://www.isbe.net/sexualhealth> (“As required by state law, the Illinois Learning Standards for Comprehensive Personal Health and Safety and Sexual Health Education are the National Sex Education Standards.”). See also 105 ILL. COMP. STAT. 5/27-1015(a), (f).

<sup>2</sup> See, e.g., *Mahmoud v. Taylor*, 606 U.S. 522, 533 (2025) (noting that “13 ‘LGBTQ+-inclusive’ texts” were chosen “for use in the English and Language Arts curriculum from pre-K through 12th grade”).

<sup>3</sup> 105 ILL. COMP. STAT. 5/27-505(a).

Some Illinois schools allow students to take part in girls' sports or access single-sex intimate spaces (i.e., bathrooms, locker rooms, and accommodations for overnight trips) based on gender identity. Coupled with policies prohibiting disclosure of a student's purported gender identity, the result is that *other* students—without their knowledge or consent (or that of their parents)—may be participating in activities or using sex-segregated intimate spaces that are not, in fact, separated by biological sex.

Title IX provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”<sup>4</sup> Where it serves as a funding agency, DOJ may enforce Title IX against recipients of federal financial assistance.<sup>5</sup> As you know, Freeport receives financial assistance from DOJ and accordingly has certain obligations under federal law, including abiding by Title IX's anti-discrimination requirements.

The Supreme Court has “long recognized the rights of parents to direct the religious upbringing of their children.”<sup>6</sup> “[S]exual orientation and gender identity” are more than “sensitive political topics”—“education about these subjects is uniquely likely to interfer[e] with children's religious development,” as they “relate to the very architecture of many faiths.”<sup>7</sup> Indeed, “[u]nder long-established precedent, parents—not the State—have *primary* authority with respect to ‘the upbringing and education of children.’”<sup>8</sup> Thus, parents are entitled to advance notification about, and an opportunity to opt their children out of, instruction—in any class—that includes SOGI topics.<sup>9</sup> Parental advance notification and opt-out rights also apply to programming and extracurricular activities, whether in-school or after-school.

At this time, DOJ's investigation will focus on whether Freeport has implemented (1) the Illinois Standards in health class or sex education; (2) lessons that include SOGI topics in any other class; and (3) activities, programs, and policies that relate to SOGI topics—any of which may contravene Supreme Court precedent or President Donald J. Trump's 2025 Executive Orders Nos. 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*,<sup>10</sup> 14190, *Ending Radical Indoctrination in K–12 Schooling*,<sup>11</sup> and 14201, *Keeping Men Out of Women's Sports*.<sup>12</sup> DOJ's investigation pertains to all grades and ages. Therefore, DOJ seeks information from Freeport, every Freeport component school, and all preschool and day care programs, if any.

In conducting its compliance investigation, DOJ will seek to determine whether Freeport is violating Title IX. DOJ has not reached any conclusions about the subject matter of this investigation. If DOJ concludes that Freeport is failing to comply with Title IX, we will inform you and work with you to resolve the failure by informal voluntary means.<sup>13</sup> If DOJ cannot secure compliance voluntarily, we may take formal action to secure compliance, which could involve suspending, terminating, or refusing to grant

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<sup>4</sup> 20 U.S.C. § 1681(a).

<sup>5</sup> 20 U.S.C. § 1682.

<sup>6</sup> Mahmoud, 606 U.S. at 546 (citation and internal quotation marks omitted).

<sup>7</sup> Id. at 591 n.7 (Thomas, J., concurring) (citations and internal quotation marks omitted).

<sup>8</sup> Mirabelli v. Bonta, -- U.S. --, 146 S. Ct. 797, 803 (quoting Pierce v. Soc'y of Sisters of the Holy Names of Jesus and Mary, 268 U.S. 510, 534-35 (1925); accord, Meyer v. Nebraska, 262 U.S. 390, 399-400 (1923)) (emphasis added).

<sup>9</sup> See Mahmoud, 606 U.S. at 569 (ordering school board to “notify [parents] in advance whenever one of the [LGBTQ+-inclusive] books in question or any other similar book is to be used in any way and to allow them to have their children excused from that instruction”).

<sup>10</sup> 90 Fed. Reg. 8615 (Jan. 20, 2025).

<sup>11</sup> 90 Fed. Reg. 8853 (Jan. 29, 2025).

<sup>12</sup> 90 Fed. Reg. 9279 (Feb. 5, 2025).

<sup>13</sup> 28 C.F.R. §§ 42.107-42.108. See also 28 C.F.R. § 54.605 (adopting and applying “[t]he investigative, compliance, and enforcement procedural provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d),” which “may be found at 28 CFR 42.106 through 42.111”).

or continue Freeport's federal financial assistance, as well as commencing a civil action.<sup>14</sup> If DOJ concludes that Freeport is complying with Title IX, we will notify you in writing that DOJ is closing the investigation.<sup>15</sup>

DOJ's Title IX implementing regulations require, among other things, that recipients of federal financial assistance allow DOJ to access sources of information and facilities relevant to determining compliance with Title IX and the implementing regulations.<sup>16</sup> These implementing regulations also require that every application for federal financial assistance be accompanied by an assurance that the facility or program will be operated in compliance with all requirements that Title IX and the implementing regulations impose.<sup>17</sup> Pursuant to this requirement, Freeport signed contractual assurances that permit DOJ to examine records and access other sources of information and facilities.

We expect Freeport to cooperate fully with this compliance investigation. To that end, **I formally request you preserve all records in your possession relevant to this inquiry.**

Compliance with this request includes notifying all individuals or organizations that have access to these responsive records, even if not directly affiliated with Freeport.

To permit us to make a full assessment, we will send a letter Request for Information to Freeport in the coming weeks seeking information related to the investigation. In the meantime, if you have any questions about this correspondence, please contact Trial Attorney LaDawn Burnett at [LaDawn.Burnett@usdoj.gov](mailto:LaDawn.Burnett@usdoj.gov).

Thank you in advance for your prompt attention to and cooperation in this compliance investigation.

Regards,



Harmeet K. Dhillon  
Assistant Attorney General  
Civil Rights Division  
U.S. DEPARTMENT OF JUSTICE

cc: Martha Furst, President, Freeport Board of Education ([martha.furst@fsd145.org](mailto:martha.furst@fsd145.org))

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<sup>14</sup> 28 C.F.R. § 42.108.

<sup>15</sup> 28 C.F.R. § 42.107(d)(2).

<sup>16</sup> 28 C.F.R. § 42.106.

<sup>17</sup> 28 C.F.R. § 42.105.