



August 5, 2014

Dr. Christina Kishimoto
Superintendent
Gilbert Public Schools
140 S. Gilbert Rd.
Gilbert, AZ 85296

Re: Gilbert Public Schools Curriculum

Dear Dr. Kishimoto:

As you are undoubtedly aware, Senate Bill 1009, signed into law by Governor Jan Brewer on April 12, 2012, and codified as A.R.S. § 15-115, a copy of which is attached for your convenience, mandates that no Arizona school district “may allow any presentation during instructional time or furnish any materials to pupils as part of any instruction that does not give preference, encouragement and support to childbirth and adoption as preferred options to elective abortion.” The law further provides that no school district or charter school may endorse or provide either financial or instructional program support to “any program that does not present childbirth and adoption as preferred options to elective abortion.”

Arizona law clearly expresses a strong state interest in promoting childbirth and adoption over elective abortions, and unequivocally requires all schools to utilize only programs that present childbirth and adoption as preferred options to elective abortions. Programs that are neutral or that simply reference childbirth and/or adoption as possible options are not sufficient to comply with Arizona law. *The law requires that any instructional programs utilized in Arizona schools include an affirmative preference to childbirth and adoption as options to abortion.*

Recently, a parent brought to our attention the curriculum currently being used in Gilbert Public Schools, raising concerns regarding its legal compliance. Specifically, the textbook, *Campbell Biology: Concepts & Connections*, 7th ed., used in biology classes, appears to violate Arizona law. On pages 544 and 545, attached hereto, the text discusses sexual activity and contraception. These pages discuss “emergency contraception,” including the “morning after pills,” and mifepristone (also known as RU486). Specifically, students are advised: “If a pregnancy has already occurred, the drug mifepristone, or RU486, *can induce an abortion*, the termination of a pregnancy in progress.” (emphasis

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added). Students are told that the drug “may cause significant side effects,” when in reality this drug has lead to several documented deaths. See, for example, <http://abortionpillrisks.org/>.


Aside from the questionable accuracy of the information provided in these materials, the greater legal issue of concern to our clients is the fact that the materials provided to students by the school district clearly present elective abortions as a viable option for students while making absolutely no mention whatsoever of childbirth or adoption, much less giving preference to childbirth and adoptions. Arizona law is crystal clear -- Arizona school districts **may not** furnish materials to students, nor allow presentations during instructional time, that do not “give preference, encouragement and support to children and adoption as preferred options to elective abortion.”

On behalf of our clients and because we understand the school year begins on August 6, we wanted to immediately bring this issue to your attention so that you may address it and take appropriate steps to assure that Arizona law is being complied with in your schools. Also, as we understand that you may not have received the letter we sent to Arizona school districts earlier this year, we have enclosed a copy of that letter for your information as well.

Arizona children and parents deserve accurate information that complies with Arizona law. We ask you to respond within ten (10) days of the date of this letter that you and Gilbert Public Schools have taken appropriate steps to comply with Arizona law.

If you have questions or we can assist you in this matter, please do not hesitate to contact us.

Sincerely,



Michael J. Norton
Natalie L. Decker
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Enclosures:

A.R.S. § 15-115

Campbell Biology: Concepts & Connections, 7th ed., pp. 545 and 546

ADF Letter to AZ Superintendents dated February 3, 2014