

**Advocates for Faith and Freedom News Release**  
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### ***LAWSUIT CHALLENGES SCHWARZENEGGER'S NEW DEFINITION OF "GENDER"***

**SAN DIEGO** – In direct response to California Senate Bill 777, Advocates for Faith and Freedom filed a lawsuit today with the Federal District Court, San Diego, on behalf of the California Education Committee, LLC (CEC), a project of California Family Council. The lawsuit challenges SB 777 on the basis that it is unconstitutionally vague and violates the privacy of all students, teachers, and other persons present on school campuses.

In October, Governor Arnold Schwarzenegger signed SB 777 into law, which will become effective January 11, 2008. SB 777 changed the definition of "gender" under the California Education Code. "Gender" now means "sex," and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. In short, you are what you think you are regardless of your anatomical make-up.

Robert Tyler, General Counsel for Advocates for Faith and Freedom commented: "What will prevent the 250 pound linebacker from deciding he wants to share the locker room with the cheerleaders?" He further stated, "If implemented, this bill will have disastrous effects in our school system. This social experiment defies common sense."

The lawsuit argues that the redefinition of gender should be declared unconstitutional and void for vagueness as no school administrator would ever know whether they are violating the law when they divide the boys from the girls because each individual will have the ability to self-define their gender regardless of their physical anatomy or how they act or dress. The lawsuit also argues that SB 777 is vague because Education Code section 51500 prohibits any teacher or school district from giving instruction or sponsoring any activity that promotes a discriminatory bias against persons based upon their gender or sexual orientation.

According to Ron Prentice, Chief Executive Officer of California Family Council, "Parents sending their children to public schools are trusting that school officials will protect their children's safety. It defies logic that schools will be required by law to ignore one's anatomy. The goal of SB 777 is not to create a gender neutral environment, but to disregard the traditional family, and its beliefs, and respect for a mom and dad raising the kids."

The Alliance Defense Fund ([www.telladf.org](http://www.telladf.org)) serves as co-counsel in the case.

Advocates for Faith and Freedom is a national non-profit legal organization whose aim is to protect religious liberty in the courts. To learn more about our organization, please visit [www.faith-freedom.com](http://www.faith-freedom.com).

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