

Opening Statement of Rep. Kevin Kiley (R-CA), Chairman  
Early Childhood, Elementary, and Secondary Education Subcommittee  
“Defending Faith and Families Against Government Overreach:  
Mahmoud v. Taylor”  
February 10, 2026

(As prepared for delivery)

Parental rights are fundamental. That means parents have a right to direct their child’s education, and a right to the information necessary to do so.

Yet across the country, a number of school districts are introducing controversial materials into the classrooms while keeping parents in the dark.

One of the worst examples is Maryland’s Montgomery County Public Schools (MCPS), which introduced curriculum promoting gender ideology for children as young as kindergarten during the 2022-2023 school year. If a student dared to even question the content of these lessons, the district coached teachers to chastise students and repeat the same line: “That comment is hurtful.”

These teachings conflict with the sincerely held beliefs of many parents who are concerned about the rise of classroom content that is not age-

appropriate for young children. A group of parents from many faiths – including Muslim, Catholic, and Ukrainian Orthodox families – asked the Montgomery district for advanced notice of days on which these concepts would be taught so they could opt their students out. The parents did not ask to dictate curriculum nor forbid other families from participating in these lessons – they merely wanted the opportunity to keep their kids home for a day in accordance with their beliefs. The district said no.

The case went to the Supreme Court. In *Mahmoud v. Taylor*, the Court granted a preliminary injunction on the grounds that the parents’ right to opt out of MCPS gender and sexuality teachings was protected under the Free Exercise Clause. The Court held that “a government burdens the religious exercise of parents when it requires them to submit their children to instruction that poses ‘a very real threat of undermining’ the religious beliefs and practices that the parents wish to instill.” The Court concluded that, “For many people of faith, there are few religious acts more important than the religious education of their children,” thereby receiving, “a generous measure of constitutional protection.”

These are common-sense principles. Religious freedom is a cornerstone of American life, and parents do not surrender it for their children when they enroll in public school.

Unfortunately, we’ll hear testimony today that some districts are trying to circumvent – or even defy – the Court’s holding in *Mahmoud*. The state of California is attempting to minimize the scope of *Mahmoud* by giving local districts vast discretion over how and when opt-outs are allowed. Seattle Public Schools has gone even further by banning parental opt-outs from certain classes.

These reports are gravely concerning to the Committee. For the past century, the Supreme Court has repeatedly held that parents have a fundamental right to direct the upbringing, health, and education of their children – including faith. As recently as 2000, the Court called it “perhaps the oldest of the fundamental liberty interests recognized.”

Today’s hearing will examine the *Mahmoud* case, the state of parental rights in America, and whether districts are complying with the law. In a world where new and controversial types of content are finding their way into classrooms, it is essential that parents maintain control over their child’s education. The Committee stands on the side of parents, students, and the Constitution.