

Finding a Voice: A Guide for Muslim Parents & Educators in Scotland on Navigating **LGBTQ+** and **RSHP Education** in Schools

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INTRODUCTION

In recent years, LGBTQ+ content taught in Scottish schools under Relationships, Sexual Health & Parenthood Education (RSHP) has become a topic of contention. This has been the case for Muslim parents, parents from other faith groups, as well as non-religious parents. Attempts to question the merit of teaching such content to school-aged children are sometimes met with unfounded accusations of homophobia. It is in recognition of the importance that the rights of one minority group do not come at the expense of another, and it is in

the hope that the rights of *both* Muslims and LGBTQ+ people can be respected, that this guide has been written. Indeed, it is important that Muslim parents know *how* to frame their concerns and defend their democratic right to have their opinions on this issue both heard and respected. This guide aims to help *both* Muslim parents *and* schools navigate the sensitive discussions around the teaching of LGBTQ+ material as part of RSHP.

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Throughout this guide, we look at:

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|--|----|---|----|
| 1. What RSHP covers | 4 | 6. Why the religious rights of Muslim parents must be respected by schools | 14 |
| 2. What are the key differences between Relationships Education and Sexual Health Education? | 6 | 7. The right of parents to withdraw their child from controversial RSHP lessons | 18 |
| 3. Do schools have to teach LGBTQ+ content as part of RSHP? | 8 | 8. What Issues Can Muslim Parents Challenge? | 20 |
| 4. Why some LGBTQ+ RSHP content can be a concern to Muslim communities | 10 | 9. How parents can best approach schools | 24 |
| 5. Why Schools Must Take a Consultative Approach Toward Parents on this issue. | 12 | 10. References | 26 |

1. WHAT IS RSE?

Relationships, Sexual Health and Parenthood Education is taught at primary and secondary schools across Scotland. It is important for parents to understand what RSHP actually is.

Schools are encouraged to follow The Curriculum for Excellence (CfE), which is the national curriculum for Scotland covering students from the ages of 3 to 18. The stated aim of CfE is to equip young people with knowledge they need to prepare them for “life in the 21st century”¹.

Under the CfE, there are eight core areas, one of which is health and wellbeing. Broadly, the purpose of the health and wellbeing area is to help young people develop the knowledge and tools they need for mental, emotional, social and physical wellbeing². The area of health and wellbeing that deal with relationships and sex is RSHP. The main purpose of RSHP is to educate school pupils about different types of relationships (platonic, romantic and sexual), sexual health, sexuality, gender and parenthood.

When it comes to RSHP, The Scottish Government expects pupils to, *“develop an understanding of how to maintain positive relationships with a variety of people and are aware of how thoughts, feelings, attitudes, values and beliefs can influence decisions about relationships, and sexual health”*³.

For parents in Scotland it is important to understand that the CfE generally, and RSHP specifically, are not statutory. In fact, Scotland does not have a statutory curriculum. This means that schools are not given a list of topics that they must teach. Instead, the CfE provides schools with a syllabus map so that they “can decide how best to deliver the curriculum based on local needs and circumstances”⁴.

However, this does not mean that schools can simply not teach RSHP if they wish. The Scottish government expects pupils to “gain knowledge appropriate to their age and stage of education,” and in this spirit lays out a series of expected learning intentions and outcomes⁵.



2. What are The Scottish Government's Expectations Regarding RSHP Learning?

RSHP can be broken up into two broad constituent segments, relationships education on one hand, and sexual health and parenthood education on the other. We can see that according to The Scottish Government's guidance, there is a difference in learning expectations for each.

According to RSHP specific resources, relationships education is focused on teaching primary and secondary pupils about the importance of having positive relationships, and how these promote health ⁶. Along with teaching children about the importance of friendship, primary and

secondary schools are also encouraged to teach students about sexual relationships and relationships consisting of individuals of the same sex ⁷.

Under sex education, primary schools and secondary schools are encouraged to teach about a range of topics, which include, but are not limited to: bodily development (sexual organs), pregnancy and birth, the importance of consent, the effects of pornography and sexual orientation (heterosexuality and homosexuality) ⁸. For more detail on The Scottish Government's expectations when it comes to RSHP, please refer to the footnote shown at the end of this sentence for further reading ⁹.



3. DO SCHOOLS HAVE TO TEACH LGBTQ+ CONTENT AS PART OF RSHP?

When primary and secondary schools in Scotland teach RSHP, it is expected that they will cover an LGBTQ+ component in their curricula ¹⁰ in a way that is age appropriate ¹¹. The Scottish Government states that the purpose of this *"is to help children and young people learn about what makes us similar and what makes us unique as individuals"* ¹².

In 2018, The Scottish Government's LGBTI Inclusive Education Working Group released its flagship report to Scottish ministers, in which it recommended that LGBTQ+ themes be more strongly reflected in RSHP education, including increasing pupils' awareness of particular terminologies and pronouns and responding to anti-LGBTQ+ prejudice ¹³. Scotland's 2023 Guidance on the Delivery of RSHP Education accepts and reflects these recommendations ¹⁴.



Scottish government resources say that at the primary school level, students should be educated in a range of issues, including what the term LGBT means and the existence of families with same-sex parents ¹⁵. Additionally, there are also resources that recommend teaching primary school students about transgenderism and gender stereotypes ¹⁶. At the secondary school level, Scottish government resources direct classroom activities to be based around issues such as "coming out," understanding what it is like to be an LGBTQ+ person and LGBTQ+ symbols like the rainbow flag ¹⁷.

4. WHY SOME LGBTQ+ RSE CONTENT CAN BE A CONCERN TO MUSLIM COMMUNITIES

The legislative sources of Islam make it apparent that verbal and physical interactions of a sexual nature are forbidden, except when practised privately within the framework of a heterosexual marriage. This has been the consensus of Islamic scholars throughout the ages.

However, it is critical to remember that feelings of attraction outside of heterosexual marriages are not forbidden. Islamic law does not hold people accountable for their inner sentiments and thoughts. It is the decision to act on feelings by engaging in same-sex sexual practices that is forbidden. The same stance is held by the legislative sources within Judaism and Christianity as well.

Though the legislative sources of Islam and the consensus of the scholars definitively prohibit same-sex sexual interactions, there are a minority of Muslims who have followed contrary views on legitimising same-sex sexual interactions.

Religious disapproval of same-sex sexual relationships and practices also **does not mean** Muslims have intolerance and hatred toward LGBTQ+ people. Muslims are able to disagree with the beliefs and practices of LGBTQ+ people, while at the same time recognising the right of that group to live free from discrimination, as guaranteed by human rights law ¹⁸. At the same time, Muslims should be able to promote and hold to their own religious beliefs, even if those are at odds with the beliefs of other minority groups, without being unfairly accused of bigotry. In order to peacefully coexist and show respect for one another, it is **not necessary** that we be in total agreement.

Therefore, while Islamic sexual and gender ethics may run contrary to liberal understandings of sexuality, such beliefs are integral to Muslims. Muslim parents will therefore naturally feel concerned about some LGBTQ+ content, along with sexualised RSE content, being taught to their child because it runs counter to their Islam-based values system, which they have the right to teach to their child.

5. WHY SCHOOLS MUST TAKE A CONSULTATIVE APPROACH TOWARD PARENTS

Parents and schools should be aware that Scottish government guidance makes it explicitly clear that schools must consult with parents on RSHP delivery. This would include any LGBTQ+ content that is taught as part of RSHP in both primary and secondary schools¹⁹. The guidance notes, “[i]t is good practice for schools to regularly involve parents and carers in discussions on curriculum content, including RSHP education”²⁰. This is also in line with Scottish law, namely the Scottish Schools (Parental Involvement) Act of 2006 which says that educational authorities **must** promote the involvement of parents in their child’s education²¹.

Importantly, the guidance on RSHP states that, “[p]arents and carers should be given advanced opportunity to view key teaching materials and to ask questions about any aspect of the RSHP education programme”²². It also acknowledges that, “teachers should work closely with parents in its [RSHP] delivery, by discussing proposed lessons and resources with them in advance”²³. This clearly demonstrates the Scottish government’s recognition that parents have a right to play a role in shaping LGBTQ+ content taught as part of RSHP.

Parents should be aware that the right to consultation **does not equal a right to veto** any content that they disagree with. Parents should see the consultation process as a way to make their concerns heard, and as an opportunity to reach a compromise with the school on how and what content is delivered.

Schools must aim for a **collaborative relationship** with parents, as advocated for by the Scottish government²⁴. There are numerous benefits to this for schools. Through consultation with parents, schools will gain a more balanced perspective on LGBTQ+ issues in light of the religious beliefs and cultural practices of other groups of people, which should surely be the aim of any society that wants to foster diversity.

Schools should also know that there is good reason to believe that if they take into consideration the religious beliefs of the students, those students will benefit greatly in their academic performance. Studies have suggested that if a student’s religious wellbeing is taken care of at school, then their grades will increase²⁵.

Schools should ensure that students are made aware of the varying prejudices faced by different minority groups. By shining a light on anti-LGBTQ+ discrimination, while increasing the religious awareness of students, inter-group empathy can be encouraged.

Indeed, the RSHP guidance makes clear that educational practitioners should promote an “*inclusive RSHP education*” wherein the different religious backgrounds and value systems of pupils are represented. While also leading to increased mutual understanding, this approach can help religious pupils feel accepted at school²⁶. In this spirit, the RSHP guidance says that schools should “*build links*” with religious community representatives and incorporate their perspectives into RSHP which “*can help support an inclusive learning experience*”²⁷.

Schools **should avoid** giving disproportionate regard to the rights of one minority group over others. Doing so risks creating a ‘hierarchy of rights’ whereby one group is treated as more deserving of support than others. The perception that is often given is one of LGBTQ+ rights being more important than the rights of faith communities, which can foster a sense of unfairness, and even resentment.

Unfortunately, when parents have been sidelined from this process in the past they have chosen to express their frustrations outside of the school gates. This has been seen in recent years in the form of parent-organised protests in other parts of the UK like Birmingham²⁸ and Manchester²⁹.

Such parents are then unfairly framed by the media and some within the wider community as being homophobic, reinforcing their shared sense of not being listened to.

6. TAKING THE RELIGIOUS RIGHTS OF PARENTS SERIOUSLY

Both parents and schools should be aware that there is a broad body of law that supports the rights of parents to have their child educated in accordance with their religious beliefs.

Paragraph 3 of Article 26 of The 1948 Universal Declaration of Human Rights³⁰, paragraph 4 of Article 18 of The United Nations International Covenant on Civil and Political Rights³¹, and Article 2 of the First Protocol of the European Convention on Human Rights³², all state that a parent maintains the right to have their child educated in accordance with their own religious and or philosophical beliefs.

Those principles of international law have also been put into UK national law. Article 2 of the First Protocol of the 1998 Human Rights Act says that, “in the exercise of any functions which it assumes in relation to education and teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical beliefs”³³.

What this wide body of domestic and international law demonstrates is that **schools must make sure** that when planning RSHP content, including LGBTQ+ materials, they take the religious views of Muslim parents, and indeed parents from other faith communities, into consideration.



The Scottish RSHP guidance itself also makes this clear by stipulating that, “[p]arents and carers have the right to have their children educated in conformity with their own religious and philosophical convictions. This is why RSHP education should be presented in an objective, balanced and sensitive manner”³⁴.

Schools should be aware that if they do not make such considerations, then they could potentially be in breach of their obligations under the Public Sector Equality Duty (PSED), created by section 149 of the Equality Act (EA) of 2010³⁵.



TAKING THE RELIGIOUS RIGHTS OF PARENTS SERIOUSLY

The PSED says that public bodies (such as schools) must give “due regard” to how their policies affect those protected under the EA of 2010. The EA contains a number of what are called “protected characteristics.” A protected characteristic gives somebody the legal right not to be treated any less favourably than somebody else based on their identity or beliefs. While sexual orientation and gender are protected characteristics, so too is “religion or belief”³⁶.

Therefore, if a school produces RSE content without showing due sensitivity toward the religious character of some of its students, then it could be said to have **failed** in its legal responsibility to show “due regard” to the protected characteristic of religious belief.

Schools should also be aware that under the PSED they are expected to “advance equality of opportunity” between groups³⁷. This means that if a school does not give a Muslim parent the opportunity to give their religious perspective on LGBTQ+ topics, they could be **in breach** of the PSED under the EA of 2010.

Indeed, the Scottish government has explicitly said that schools should make sure that RSHP is dealt with in a “balanced and sensitive manner” that takes religious perspectives into account³⁸. Practically, this should mean that if external speakers are invited into schools to teach a liberal Muslim perspective on LGBTQ+ relationships, other external speakers should also be invited to give the mainstream Muslim perspective on such relationships.

Parents should be aware that people belonging to the LGBTQ+ community are also protected by the EA of 2010 (Articles 7, 8 & 12), which means that schools have a responsibility under the PSED to eliminate discrimination against this group. However, schools need to show that they are able to balance between raising awareness about LGBTQ+ issues and respecting the cherished beliefs of Muslim students and their parents.

If a school does not take this balanced approach, then it could create misunderstandings between minority groups with protected characteristics. Such an outcome would mark a **failure** of the school’s responsibility under the PSED to “foster good relations between persons who share a relevant characteristic and persons who do not share it”³⁹.



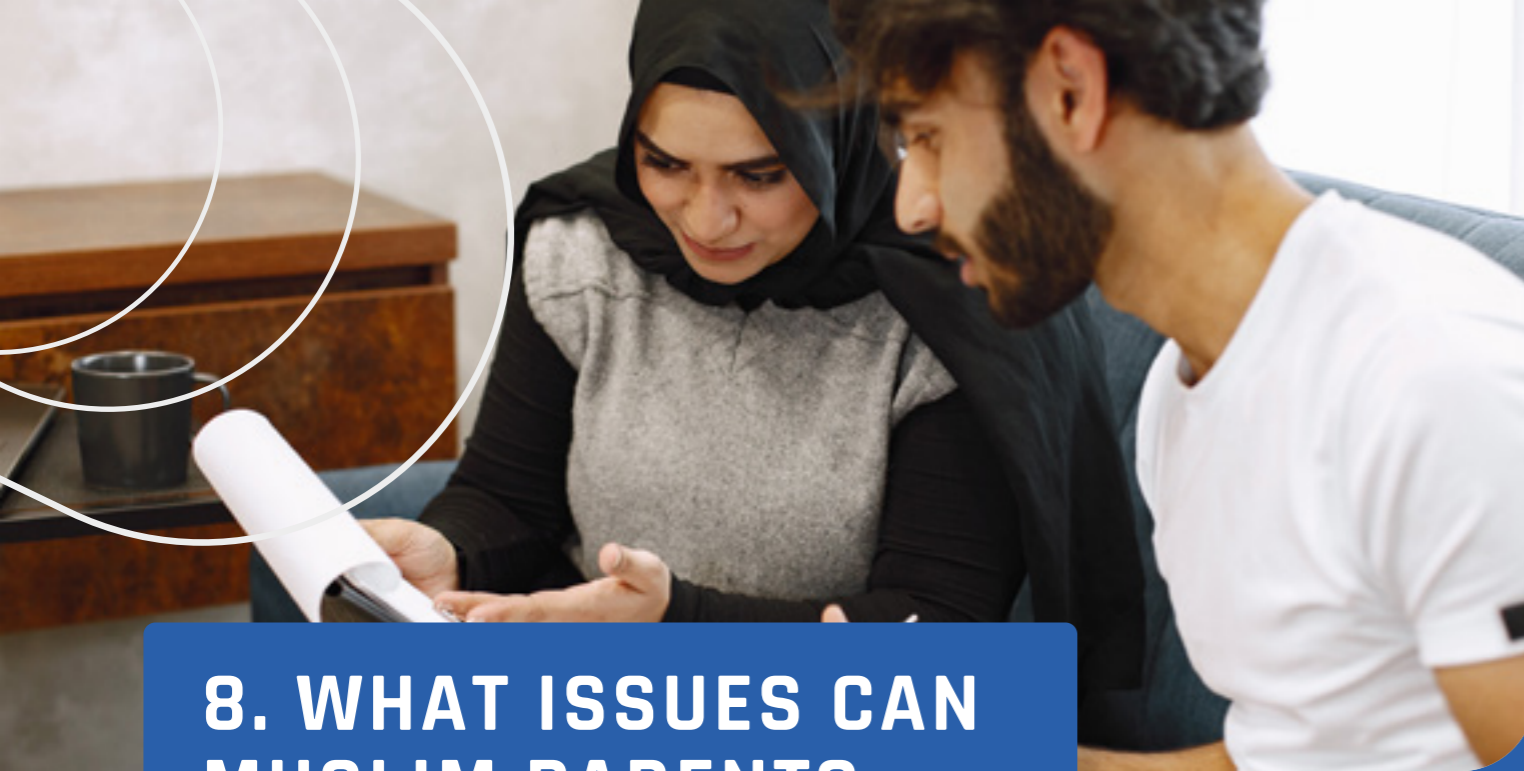
7. THE RIGHTS OF PARENTS TO WITHDRAW THEIR CHILD FROM RSE LESSONS

Parents should be aware that they have a right to withdraw their child from sexual health aspect of RSHP. Schools must make it known to parents that they have the right to view RSHP teaching materials and to withdraw their child if they feel the materials are unsuitable ⁴⁰.

Parents are **not able** to withdraw their primary or secondary school child from the relationships education element of RSHP, even if there is content that they feel uncomfortable with, such as LGBTQ+ topics. Under these circumstances, parents should request to see the relationships education lesson plans and materials to ensure that schools are teaching content that is religiously sensitive and age-appropriate, as enshrined in the RSHP guidelines ⁴¹ and legislation cited above in section 6. If

parents feel that content being taught under relationships education is age-inappropriate and/or does not take into account their familial religious sensibilities, then they are able to challenge the school.

Sometimes parents may be told that the material is from an external provider, and is protected by copyright or is commercially sensitive and that they cannot see it. This is the incorrect position for schools to take as highlighted by Scottish government guidance, which clearly says parents should be given "*advanced opportunity*" to view RSHP teaching materials ⁴².



8. WHAT ISSUES CAN MUSLIM PARENTS CHALLENGE?

Parents should understand that there is a distinction to be made between topics that they can challenge and topics that they should avoid challenging. This first category are issues that parents have the legal right to challenge, but also have the political right to challenge as citizens of a pluralistic democracy, where freedom of speech is a sacred human right. The second category are those issues that Muslims should avoid challenging because doing so could violate the right of LGBTQ+ people to be represented and have their voices heard.

Issues that can be challenged

Same-Sex Relationships are permissible in Islam

Some educators have tried to claim that same-sex relationships are permissible within Islam. Muslim parents **can challenge this**

for the reasons highlighted in section 4 of this guide. Parents may request to see LGBTQ+ teaching materials if they want to make sure that false theological positions are not being attributed to Islam, as mentioned in section 7.

Gender fluidity as biological fact

Some schools have tried to teach concepts, such as 'gender fluidity' or 'non-binary' gender, as **biological fact**. Parents **can push back** against these positions, because such phenomena are not 'settled science,' which means that there is still a lot of discussion going on among specialists and wider society about the accuracy of these concepts. Teaching this content without it being grounded in evidence has more in common with **promoting an ideology** than teaching biological facts.

Encouraging children to explore their sexuality

Some LGBTQ+ materials encourage children to **"explore" their sexuality** and/or gender. Muslim parents **can challenge this** on the grounds that it does not take into due regard their religious beliefs, which are **opposed to such liberal conceptions of sexuality**. Teaching such ideas to school-aged children, who are arguably **too young** to appreciate the complexities of sexuality and gender, may cause **harmful effects** such as confusion, anxiety and false self-diagnoses of gender dysphoria. When a child does question their sexuality/gender, schools should provide them with the proper support and safeguarding. However, as made clear by the Scottish government's guidance, schools **cannot conceal this from parents**.



Teaching children overly sexualised content

There have been reports that schools in recent years have taught RSHP content that is **entirely inappropriate**, such as lessons on how they feel about oral, and even anal, sex. Parents unequivocally **have the right to protect** their school-aged children from such content. Parents and schools should be aware that the terms “age and stage appropriate” consistently arise in the RSHP guidance, meaning that the age of students **must be taken into consideration** when teaching RSHP. Therefore, content that is too sexualised or beyond the comprehension of a small child is **not appropriate** for the age of school-attending children, particularly primary school children.

Claims that to question LGBTQ+ teaching is homophobic and/or transphobic

Proponents of LGBTQ+ curricula may try to shut down the legitimate concerns of parents by falsely claiming that it is **‘homophobic’** or **‘transphobic’** to challenge such content. This is clearly a **false equivalence**⁴³, and there is a simple argument that Muslim parents can use against this: that it is **perfectly possible** to **both** want their child educated in accordance with their religious beliefs, while at the same time being **opposed to homophobic and transphobic prejudice**. A Muslim parent can hold these two beliefs at the same time, without them contradicting each other.

Issues that **should** not be challenged

Removal of all LGBTQ+ material from the school curricula

Muslims parents **should not** try to remove **all mention** of LGBTQ+ related topics from RSHP at their child’s school.

Firstly, any attempt to do so would be a **violation of the rights** of another minority group which is protected by human rights legislation. While Muslims may rightly complain that their religious rights are not currently being respected by schools, LGBTQ+ parents and students could equally complain that Muslims are not respecting **their rights** if they try to completely erase any discussion of such topics. Like religious groups, it is the legal right of LGBTQ+ people to have their voices heard as part of Britain’s diverse democracy.

Preventing any discussion of LGBTQ+ issues.

Muslim parents should also understand that their child needs to have a level of awareness about the diverse groups of people who exist in order to prepare them for life as a citizen in today’s British society both within and beyond the school gates. Content that simply teaches that there are different types of family and/or that some people conform to different ideas of gender, should be accepted, as children will inevitably be exposed to such different types of families and relationships in wider society. Furthermore, parents should not object to children being taught to show tolerance and respect towards people of such a background. In other words, parents should not challenge this basic level of content.

9. HOW SHOULD CONCERNED MUSLIM PARENTS APPROACH THE ISSUE?

As a parent, when you approach a school with your concerns, it is important to firstly make clear that your legally-protected right to express your religious beliefs does not mean you are anti-LGBTQ+.

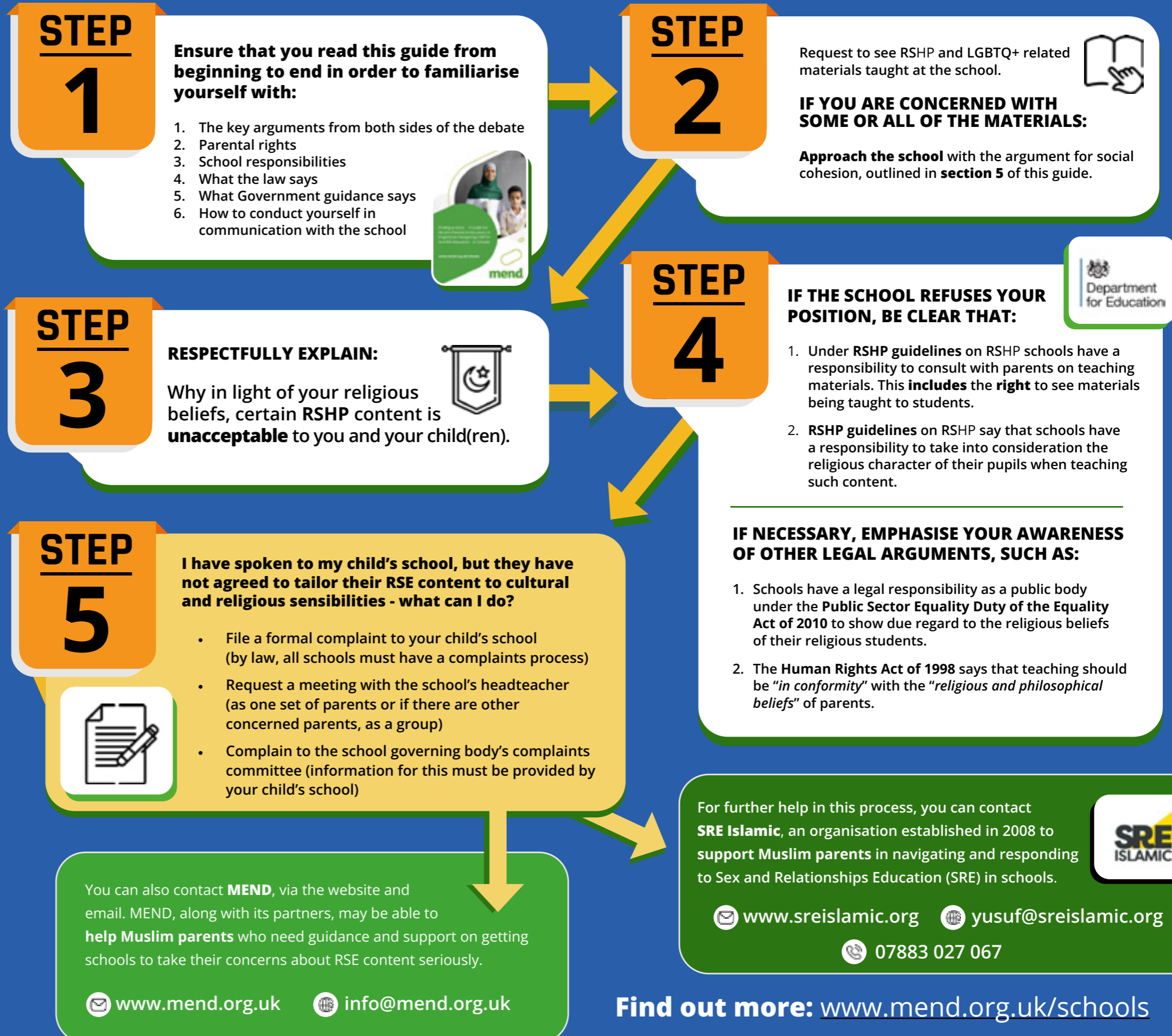
Instead, you should make clear that you are asking for the school to show sensitivity to your religious views, and those of your child, which they are required to do by law and clear government guidance, all of which is explained above.

As was explained above, the RSHP says that parents have the right to express their concerns about RSHP content. This means that that discussions about or even criticisms of LGBTQ+ content is absolutely acceptable, as long as it is done in a respectful manner.

There should be no intimidation, or abuse aimed toward schools and teachers within such discussions; indeed, such behaviour is not in accordance with Islamic etiquette. It is also likely to result in schools being less receptive to listening to the needs of Muslim parents and this would be counter-productive.

As a parent, your first course of action should be to respectfully use the legal and educational arguments made in this guide in your discussions with the school.

Parents should do the following:



www.mend.org.uk info@mend.org.uk

For further help in this process, you can contact **SRE Islamic**, an organisation established in 2008 to support Muslim parents in navigating and responding to Sex and Relationships Education (SRE) in schools.

www.sreislamic.org yusuf@sreislamic.org
07883 027 067

Find out more: www.mend.org.uk/schools

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- 43 A false equivalence is a flaw in logic which tries to create a similarity, or connection, between two very different things.



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