



ADMINISTRATION FOR CHILDREN & FAMILIES

Office of the Assistant Secretary | 330 C Street, S.W., Suite 4034
Washington, D.C. 20201 | www.acf.hhs.gov

June 20, 2025

Sydney Armendariz
California State Personal Responsibility Education Program (PREP)
Division Chief, Maternal Child, and Adolescent Health Division
CA Dept of Public Health/Maternal Child, and Adolescent Health Division
1615 Capitol Avenue, MS 8306
Sacramento, CA 05899

RE: State Personal Responsibility Education Program for Fiscal Years 2023 (Grant # 2301CAPREP), 2024 (Grant #2401CAPREP) & 2025 (Grant # 2501CAPREP)

Dear Ms. Armendariz:

On March 27, 2025, the Administration for Children and Families (ACF) requested that California provide current curricula and programmatic materials in use or in any way relevant to your state Personal Responsibility Education Program (PREP) grant for a medical accuracy review in accordance with the Terms and Conditions of the grant. We appreciate your timely response to ACF's request.

While preparing California's PREP content for the medical accuracy review, ACF identified content in the curricula and other program materials that fall outside of the scope of PREP's authorizing statute at 42 U.S.C. § 713. Specifically, the following subjects and language are outside the scope of the authorizing statute and all references to it must be removed from California's PREP curricula and program materials:¹

Rights, Respect, Responsibility

- Middle School Lesson 1, Page 3: "We've been talking during class about messages people get on how they should act as boys and girls—but as many of you know, there are also people who don't identify as boys or girls, but rather as transgender or gender queer. This means that even if they were called a boy or a girl at birth and may have body parts

¹ ACF initiated a medical accuracy review to determine if California's approach to biological sex in its PREP curricula is medically accurate and in compliance with the program statute and the terms and conditions of the award. In preparing the materials that we received, we saw that the curricula include gender ideology which is not authorized by the statute. As per this letter, California will need to remove this content from its PREP curricula and program materials. In light of this, we are changing our planned course of action and are no longer conducting a review for medical accuracy because the content that we were going to review for medical accuracy is outside of the subjects that are statutorily authorized in this program.

that are typically associated with being a boy or a girl, on the inside, they feel differently.”

- Teachers Guide, Page 23: “Gender Identity: A person’s deep-seated, internal sense of who they are as a gendered being – specifically, the gender as which they identify. All people have a gender identity. An adjective used to describe a person whose gender identity is incongruent with (or does not “match”) the biological sex they were assigned at birth is “transgender.” An adjective used to describe a person whose gender identity is congruent (or “matches”) the biological sex they were assigned at birth is “cisgender.” Other gender identities may include non-binary, agender, bigender, genderfluid, and genderqueer.”

Making Proud Choices 5th Edition Facilitator Curriculum California

- Page 279: “Transgender refers to a person’s gender identity. Gender identity is your inner sense of your gender—Do you feel like a guy? Do you feel like a girl? Do you feel like something different than a guy or a girl? Often gender identity matches a person’s body—someone with a girl’s body feels like a girl on the inside or someone with a boy’s body feels like a boy on the inside—but not always. Transgender is when a person’s inner feelings about gender identity don’t match the body.”

Teen Talk High School

- Page 38: “Remind students that some men are born with female anatomy, some women are born with male anatomy.”
- Page 85: “Gender Identity describes the way a person feels internally and socially. This is essentially a social status defined by a community’s expectations for behavior.”
- Page 87: “Genderqueer, gender non-conforming, and gender expansive are more terms that people use to describe their experience of being non-binary. Each person’s experience of being non-binary is unique, in the same ways that each person’s experience of being a man or of being a woman is unique.”
- Page 86: “Trans is an umbrella category that describes anyone whose sex assigned at birth does NOT match their gender identity. Some trans people may choose to transition in any combination of the following ways:
 - Social transitioning: may include telling others about their gender identity, changing their name, asking others to address them using a new name and/or gender pronouns, and changing their gender expression to better reflect their identity.
 - Medical transitioning: altering their body by going through hormone therapy (using testosterone or estrogen) or having gender-affirming surgeries. Common

surgeries include top surgery (adding or removing breast tissue) and bottom surgery (transforming the genitals).”

Teen Talk Middle School

- Page 82: “If someone’s sex assigned at birth does not match with their gender identity, or how they feel inside, they might identify as “transgender.” For example: if someone is born with female body parts, hormones, and DNA, and inside they feel like a man.”²

The “purpose” of a PREP grant award is for states to “carry out personal responsibility education programs consistent with this subsection.” 42 U.S.C. § 713(b)(1). The statute defines PREP as “a program that is designed to educate adolescents on -- (i) both abstinence and contraception for the prevention of pregnancy and sexually transmitted infections, including HIV/AIDS, consistent with the requirements of subparagraph (B); and (ii) at least 3 of the adulthood preparation subjects described in subparagraph (C).” 42 U.S.C. § 713(b)(2). The statute includes no mention of gender ideology, which is both irrelevant to teaching abstinence and contraception and unrelated to any of the adult preparation subjects described in section 713(b)(2)(C).³ The statute neither requires, supports nor authorizes teaching students that gender identity is distinct from biological sex or that boys can identify as girls and vice versa; thus, gender ideology is outside the scope of the authorizing statute and any expenditures associated with gender ideology are not allowable, reasonable, or allocable to the PREP grant. *See* 45 C.F.R. §§ 75.403-405. We are aware that this curricula and other program materials were previously approved by ACF. However, the prior administration erred in allowing PREP grants to be used to teach students gender ideology because that approval exceeded the agency’s authority to administer the program consistent with the authorizing legislation as enacted by Congress. California’s current PREP curricula and program materials are out of compliance with the PREP statute and HHS regulations and must be modified. *See* 45 C.F.R. § 75.303(b) (requiring compliance with all Federal statutes, regulations, and the terms and conditions of the Federal award), §§ 75.403-405 (requiring grant expenditures to be reasonable and allocable in order to be allowable).

ACF may impose additional conditions on grantees that fail to comply with any Federal statutes, regulations or terms and conditions that apply to their awards. *See* 45 C.F.R. § 75.371. **Therefore, ACF instructs California to remove all content concerning gender ideology from its**

² We are not setting forth all of the problematic language in this letter but are providing a general description and examples so that you understand what needs to be removed from the curricula and program materials. If you have any questions about whether language needs to be removed, please contact Federal Project Officer, Latanya Bispham-Robinson at Latanya.Bispham-robinson@acf.hhs.gov.

³ 42 U.S.C. § 713(b)(2)(C) lists the following adult preparation subjects: “(i) Healthy relationships, including marriage and family interactions; (ii) Adolescent development, such as the development of healthy attitudes and values about adolescent growth and development, body image, racial and ethnic diversity, and other related subjects; (iii) Financial literacy; (iv) Parent-child communication; (v) Educational and career success, such as developing skills for employment preparation, job seeking, independent living, financial self-sufficiency, and workplace productivity; (vi) Healthy life skills, such as goal-setting, decision making, negotiation, communication and interpersonal skills, and stress management.”

curricula, program materials and any other aspects of its program delivery within 60 days of receipt of this letter and provide a copy of the modified materials to ACF for approval.

The content flagged on the first page of this letter provides examples of gender ideology content that does not adhere to the PREP statute; California is directed to remove these and all similar language throughout their curricula and program materials. Should California fail to make the appropriate modifications to its PREP curricula and program materials, ACF may take additional enforcement action. *See* 45 C.F.R. § 75.371 (allowing HHS to withhold, disallow, suspend, or terminate Federal awards if imposing additional conditions on a grantee does not cure noncompliance).

Thank you for your attention to this matter. Please submit the modified curricula and materials by uploading to the Dropbox links previously provided to you within sixty (60) days, and no later than August 19, 2025, at 11:59 pm. You may email your FYSB Federal Project Officer if you need clarification regarding this request.

Sincerely,

A handwritten signature in black ink that reads "Andrew K. Gradison". The signature is written in a cursive, slightly slanted style.

Andrew Gradison

Acting Assistant Secretary
Administration for Children and Families