



ADMINISTRATION FOR
CHILDREN & FAMILIES

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

Tuesday, August 26, 2025

Ms. Tracy Gruber
Utah Department of Health and Human Services
195 North 1950 West
Salt Lake City, UT 84116

RE: State Personal Responsibility Education Program grants for Fiscal Years 2023 (#2301UTPREP), 2024 (#2401UTPREP), and 2025 (#2501UTPREP).

Dear Ms. Gruber:

On April 14, 2025, the Administration for Children and Families (ACF) requested that Utah 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 Utah'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 Utah's PREP curricula and program materials:¹

¹ ACF initiated a medical accuracy review to determine if Utah'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, Utah 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.

Get Real HS, 2nd edition, Curriculum

- Lesson 9.1 “Introduction to Sexuality,” pages 2-3:

“Define Sexuality and Sexual Health

Ask students what they think the term *sexuality* means. Emphasize that sexuality is not just about sex assigned at birth or sexual behavior, but is a combination of many elements, including relationships and communication. Explain that sexuality can include feelings about oneself and others, as well as values and beliefs, body awareness, intimacy, gender and sexual identity, and sexual health.

Teacher Note**Sex Assigned at Birth and Gender Identity**

Be sure to take a moment to explain the difference between sex assigned at birth and gender identity to students, as this may be the first time they’ve heard these terms. See Teacher’s Guide for definitions.”

- Lesson 9.4 “Gender and Sexual Identity,” page 25:

“Connecting the Lessons

Connects to Lesson 9.3: Sex, Gender and Shared Responsibility and Lesson 9.8: Healthy and Unhealthy Relationships

Lesson Goals

- Explain the importance of gender and sexual identity being self-identified.
 - Identify proper vocabulary for describing gender and sexual identity.
 - Explain the difference between sex assigned at birth, gender identity, gender expression and sexual orientation.
 - Discuss LGBTQ+ issues respectfully.
 - Demonstrate how to be an ally and to effectively communicate support for peers.”
- Page 29: “Explain that a person’s gender identity is how they define their own gender, which may or may not be the same as their sex assigned at birth; a person’s gender expression is how they share their gender with the world. Tell students that they all thought about their own gender identity, and potentially gender expression, when they chose what word or words to use for ‘gender’ in the last activity. Every person has a sex assigned at birth, agender identity, a way of expressing their gender, and a sexual orientation. And each of these is unique to every individual person.”
- Teacher’s Guide, Lesson 9.1, page 109: “Another important part of sexuality is gender identity. Gender identity is a term that refers to a person’s deeply personal

feeling of identifying as a man, woman or some other gender, which may or may not line up with the sex assigned to the person at birth.”

In Clued (2019), Utah Adapted Curriculum

- Youth Curriculum Overview, Workshop Activities, page 5:

“Introductions and Warm-Up (20 minutes)

Facilitators introduce themselves, the IN·clued workshop agenda and Essential Questions, and facilitate participant introductions. Participants commit to group agreements to maximize physical, emotional, and psychological safety during the learning experience. The Peer Educators read a welcoming poem depicting diverse sexual and gender identities to create a supportive environment for workshop participants. Participants spend time exploring their IN·clued zines.”

- Youth Workshop Curriculum, Page 11: “Preparation prior day of workshop:

Call LGBTQ+ youth group facilitator to ask about:

- Community-specific group language use (e.g. ‘Queer youth,’ ‘LGBTQ+ youth,’ ‘Gender-expansive youth,’ etc.)
- Group structure (meeting times, locations, number of youth, etc.)
- Already established group norms/agreements, if they have any
- Prior activities/experiences the group has had around sexual health education or accessing sexual healthcare
- Facilities—room set up, A/V equipment, room for breakout groups, etc.
- Group dynamics that would be useful to know”

- Activity 1, page 14: “ADULT FACILITATOR: Gather everybody’s attention and thank participants for being there. Introduce yourself with your name, pronouns (if you wish), your role, and why you care about LGBTQ+ sexual health. Introduce the purpose of the workshop.

‘We want to thank everybody for taking the time to be here today—we’re really excited to be working with you for the next few hours, and are grateful to be with you in this space. IN·clued is a program just for LGBTQ+ youth to learn about how to get the sexual health information and services they need and have the right to. We know that sometimes lesbian, gay, bisexual, transgender, and queer or questioning young people don’t have access to information and services that is for them. That’s why we’re here, to spend some time together talking about LGBTQ+ sexual healthcare in particular.’”

Making Proud Choices! 5th Edition, Curriculum

- Module 1, Activity B, Facilitator Note, page 36: “Asking participants to tell you their pronouns is a way of creating a safe space for transgender or gender

nonconforming youth. Reinforce that sharing pronouns is optional; some youth may not feel comfortable sharing their pronouns and thus ‘outing’ themselves. Model what you want participants to say by giving your own pronouns. Some transgender youth might have typical pronouns (he/she/his/her/their) or they might request more creative pronouns such as hir or zir. Pronouns don’t always line up with what observers might expect based on a person’s perceived biological sex. The simple act of requesting pronouns sends the message that transgender and gender nonconforming youth are welcome and respected in the group.”

- Module 1, Activity C, Procedure, pages 39-40: “**Respect Diversity:** Let’s keep in mind that there’s diversity in society and in the group. Individuals come from different family backgrounds, different racial and cultural groups and different living situations. Some young people have already had romantic relationships; others aren’t even thinking about it. Some have had sexual intercourse. Some have had sex because they choose to; other’s may have had sex against their will. Some may identify as gay, lesbian, bisexual or straight. Some may identify as male, female or transgender.

Young people may express themselves in ways that don’t conform with their biological sex. There are many ways that youth can express their gender identity.

Define terms related to diversity as needed.

Gender refers to the ideas in a culture or society about the appropriate ways for men and women to dress, behave, think and feel. Ideas about what gender behavior is appropriate change in different cultures and at different times in history. Sometimes one gender is given more power or status than another.

Gender identity is peoples’ inner understanding of what gender they identify with. It may be man, woman, something in between, or something that doesn’t fit these labels. It may be the same as (cisgender) or different from (transgender) the sex they were assigned at birth. Gender identity is unique for each person.

Gender expression is how a person represents or expresses gender identity to others, often through behavior, clothing, hairstyles, voice or body characteristics.”

Teen Outreach Program (TOP), Curriculum

- LAM-SU-A2, “Defining Sexuality” chapter, page 80:

“Facilitator Tip

Sexuality is complex and can be difficult to define. It is normal for participants to struggle to understand it broadly and to have differing views. Support participants in sharing and listening to one another, and make sure dialogue remains respectful and inclusive.

Circle 'Sex' in 'Sexuality'

Ask

- How much of our Word Web is about 'having sex' or 'sex' as a physical behavior?

Share

- Sexuality is more than physical behavior.

Add

- Besides physical behavior, what else do you think could be part of a person's sexuality?

If participants do not identify in the following, add

- Sexual and reproductive anatomy
- Body Image
- Biological sex
- Gender Including gender identity, gender expression and gender roles
- Sexual orientation
- Desires, pleasure, intimacy and reproduction
- Beliefs, attitudes and values about sexuality

Share

- Sexuality can include some or all these things.
- Sexuality is a personal experience and will be different for everyone.

- LAM-HW-F1, Facilitator Resource, "Frequently Asked Questions," page 148:

"Why would someone with a penis not identify as a boy/man? Why would someone with a vulva not identify as a girl/woman?"

When we use body parts to describe people, we're talking about 'biological sex,' or sex assigned at birth, which is different than gender. Gender is how people identify and express themselves. Transgender people are people whose gender identity is different from their biological sex or sex assigned at birth. Gender non-conforming and non-binary people are people whose gender identities are not exclusively either boy/man or girl/woman. However someone identifies, they should feel safe, respected and included in TOP."

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).² 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 these 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. Utah'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 Utah to remove all content concerning gender ideology from its 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 pages of this letter provides examples of gender ideology content that does not adhere to the PREP statute;³ Utah is directed to remove these and all similar language throughout their curricula and program materials. Should Utah 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).

² 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."

³ 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 the Federal Project Officer, Nakia Martin-Wright at nakia.martin-wright@acf.hhs.gov.

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 **Monday, October 27, 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 style with a large, stylized 'A' and 'G'.

Andrew Gradison
Acting Assistant Secretary
Administration for Children and Families