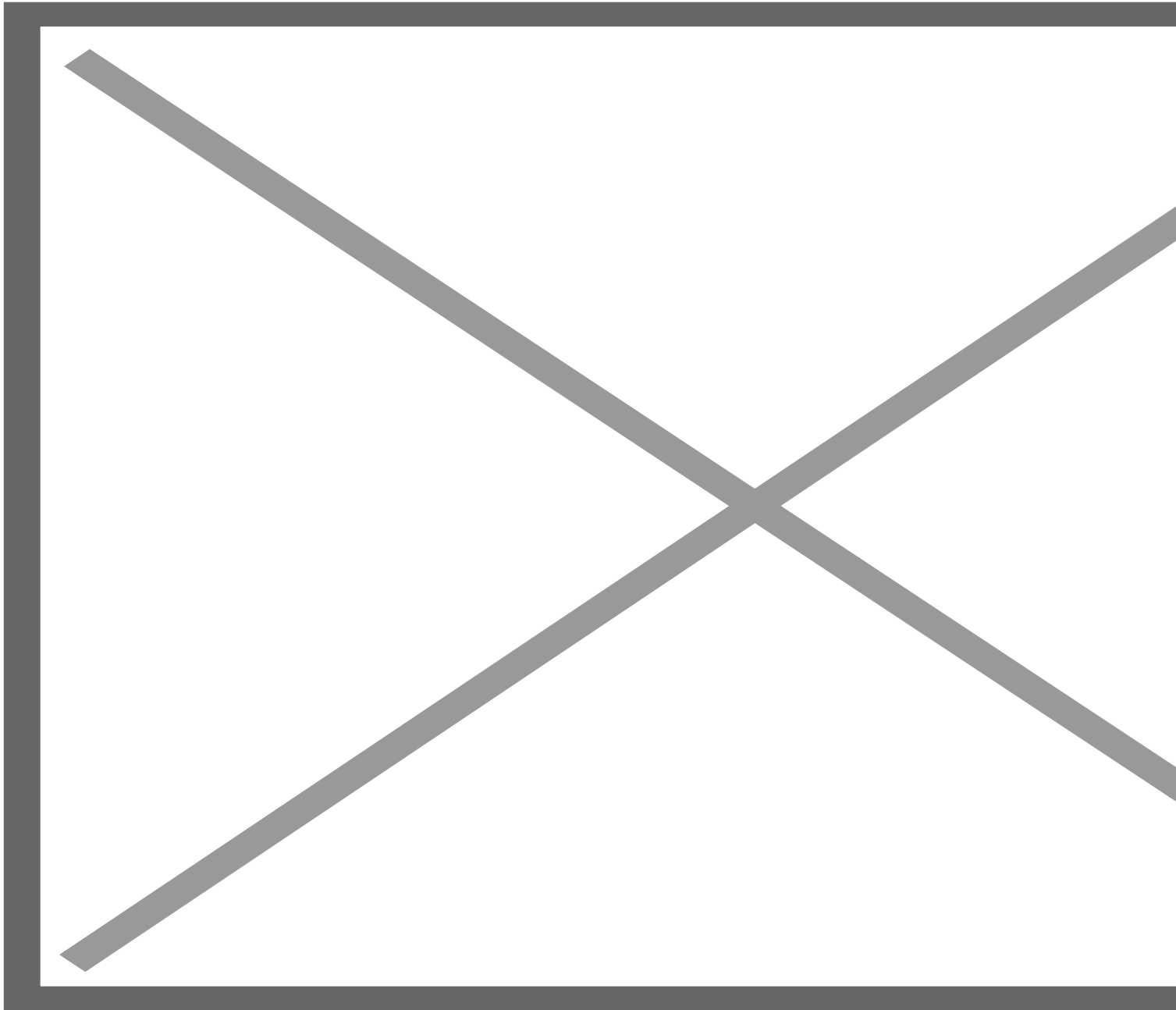


Parents awarded \$1.5M after Supreme Court win in LGBTQ+ books case

by [Fiona André](#)

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*Wael Elkoshairi, left, addresses supporters of opt-out options, before oral arguments in the Mahmoud v. Taylor case, at the US Supreme Court, April 22, 2025. (RNS photo/Reina Coulibaly)*

A group of conservative religious parents who sued the Montgomery County Board of Education in Maryland after it refused to let them opt their children out of classes discussing books on LGBTQ+ characters will receive a \$1.5 million settlement.

The [agreement](#), approved on February 19 by District Judge Deborah L. Boardman, also requires the school board to alert the parents when classes will be discussing books with LGBTQ+ themes and allow their children to skip those lessons.

The parents filed the suit in May 2023 after the school system introduced a pre-K through fifth grade English/language arts curriculum in 2022 with some LGBTQ themes and removed the option for parents to opt students out of the lessons. The curriculum had already drawn tensions among the county's religious parents, with some worrying about appropriateness and arguing the material promoted a particular ideology.

According to the plaintiffs—Tamer Mahmoud and Enas Barakat, who are Muslim; Jeff and Svitlana Roman, who are respectively Catholic and Ukrainian Orthodox; and Melissa and Chris Park, who are Catholic—the school system's decision to remove the opt-out option infringed on their religious rights.

The case was heard last June by the Supreme Court, which ruled 6-3 in favor of the parents, with the three liberal justices dissenting. In his opinion, Justice Samuel Alito, writing for the majority, said the board's refusal to allow opt-outs infringed on the parents' religious rights. The court instructed the lower court to order the board to restore the option to opt out.

The books, Alito wrote, were “designed to present certain values and beliefs as things to be celebrated and certain contrary values and beliefs as things to be rejected.”

After the Supreme Court decision, the Montgomery County Public Schools introduced an opt-out request [form](#) parents can fill out if they believe the use of instructional material would interfere “with their sincerely held religious beliefs.”

The settlement ought to signal public schools that parents should have “the final say” on their children's education, wrote Eric Baxter, the plaintiffs' attorney and senior counsel at the Becket Fund for Religious Liberty, in a statement.

“Running roughshod over parental rights and religious freedom isn't just illegal—it's costly,” he wrote. “Their victory reshaped the law and ensured that generations of religious parents will be able to guide their children's upbringing according to their faith.”

In a [statement](#) shared with ABC7, Montgomery County Public Schools noted it had already implemented measures to “ensure compliance and improve responsiveness.” It added, “This work is ongoing, and we remain dedicated to partnering with our families to guarantee we are moving forward in a way that aligns with the Court's decision.”

The curriculum featured *Pride Puppy!* on a family celebrating Pride Day and *My Rainbow* on a mom creating a rainbow-colored wig for her transgender daughter. The school system initially allowed parents to opt children out of the lessons discussing the material before changing its policy in March 2023, arguing it wasn't “feasible or consistent with its curricular goals to accommodate requests for students to be excused from classroom instruction using the LGBTQ-Inclusive books,” according to a [motion](#) opposing the preliminary injunction sought by the parents.

After the Supreme Court decision, Mark Eckstein, a Montgomery County resident who helped introduce the curriculum, said the storybooks had only intended to expose children to the diversity of sexual orientations and gender identities. Local LGBTQ+ rights activist David S. Fishback denounced the decision as a “major setback.”

Tamer Mahmoud and Enas Barakat and Jeff and Svitlana Roman have since removed their children from the public school systems. —Religion News Service