



# EQUALITY LOUDOUN

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**FOR IMMEDIATE RELEASE**

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## **CALLING ON THE LCPSB TO REJECT THE VA DOE 2023 TRANSGENDER MODEL POLICY**

LEESBURG, VA – Equality Loudoun calls on the Loudoun County Public School Board (LCPSB) to reject the “Model Policies on Ensuring Privacy, Dignity, and Respect for All Students and Parents in Virginia’s Public Schools.” After taking careful time and consideration of the potential impacts implementing such policies would have on students and their well-being, it is clear that this would cause significant harm without providing benefit to any student group. Each member of the LCSB is elected to represent our school system as a whole and has a responsibility to serve the best interest of all the students. We ask that the LCPSB not be swayed by anti-LGBTQ+ special interests or arguments based on misinformation and hate.

The terms of these model policies are in direct contradiction of Federal and State orders and laws. The model policy is a clear executive overreach and an effort to legislate via Executive Order by the Governor of Virginia. By drafting and attempting to implement these policies through the Department of Education, Governor Youngkin has run counter to the law designed to protect transgender students and passed in a legal and democratic manner by the Legislature of the Commonwealth of Virginia under SB868.

Equality Loudoun is concerned about the language in the model policies, specifically, the suggestion that a child should be misgendered and deadnamed, an act that is empirically proven to cause harm, unless a parent is able to provide written support and legal documentation that may not be possible for many youth based on their age. Further, even if the parent supports and provides legal documentation, this policy would still allow staff members to cause harm to the child by calling them by a name or pronoun inconsistent with their identity, while blatantly ignoring the parental rights. For a child who has been treated consistent with their identity for much of their life, such actions could have immediate and irreparable harm to their well-being and be a threat to their mental and physical safety.

In addition, the suggested sample policies would illegally discriminate against transgender students by sex-segregating them in activities, athletics, accommodations, travel, bathrooms, and counseling. According to the Code of Virginia, the Department of Education does not have the authority to designate or regulate participation in sports (Section 22.1-23.3 of the Code of Virginia as cited under the Statutory Authority and Requirements.)

LGBTQ+ students and their parents in Loudoun County deserve to be treated with privacy, dignity, and respect that are not demonstrated by these model policies.

The following rulings, orders, and laws are in direct contradiction to the model policies:

- Grimm v. Gloucester County School Board, 972 F.3d 586 (4th Cir. 2020)
- 17-1618 Bostock v. Clayton County (06/15/2020)
- Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 et seq.)
- The Fair Housing Act, as amended (42 U.S.C. 3601 et seq.)
- Section 412 of the Immigration and Nationality Act, as amended (8 U.S.C. 1522)
- Commonwealth of Virginia, SB 868 Discrimination; prohibited in public accommodations, etc., causes of action, civil actions.

**REFERENCE:**

<https://www.pilotonline.com/2023/07/18/virginia-department-of-education-releases-model-policies-for-transgender-students/>