



Written by [Michael Tennant](#) on June 3, 2021

Teacher Sues School District Over Suspension for Speaking Against Proposed Gender Policy

A Virginia teacher who was placed on leave for expressing opposition to a proposed gender-identity policy at a school-board meeting is suing the school district for reinstatement.

Tanner Cross, a physical-education teacher at Leesburg Elementary School in Loudon County, spoke at a May 25 meeting of the school board in which new policies were being considered. Those policies would require all school staff and teachers to refer to students by their desired names and pronouns even if they conflict with a student's legal name or biological sex. They would also mandate that students be allowed to use the restroom or locker room of their choice and participate in the sex-segregated sports of their choice regardless of their biological sex.



Photo: William_Potter/iStock/Getty Images Plus

After identifying himself, Cross, a Christian, said, "I am speaking out of love for those who suffer with gender dysphoria." He referenced the [May 23 episode of CBS' 60 Minutes](#) that presented the stories of young people who had been encouraged to undergo hormone therapy and surgery to make their sex conform to their gender confusion — and now regret it.

"It is not my intention to hurt anyone," Cross continued, "but there are certain truths that we must face when ready." He "condemn[ed]" the proposed policies, saying they "will damage children, defile the holy image of God."

"I love all of my students, but I will never lie to them regardless of the consequences," he added. "I'm a teacher, but I serve God first, and I will not affirm that a biological boy can be a girl and vice versa because it is against my religion. It's lying to a child. It's abuse to a child. And it's sinning against our God."

Two days later, Cross was informed by [letter](#) that he was being placed on administrative leave "pending an investigation of allegations that [he] engaged in conduct that has had a disruptive impact on the operations of Leesburg Elementary School."

It's no surprise that the Loudon County school board did not take kindly to criticism, especially from one of its teachers. The board is dominated by hard-left Democrats who are [pushing Critical Race Theory and allowing sexually explicit reading assignments for high-school students](#). Indeed, when Cross' pastor spoke up for him and said he (the pastor) supported the recall of some school-board members, the local Democratic Party [demanded](#) that he retract his comments because they "have dangerous ramifications for the incitement of violence."



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On May 28, Alliance Defending Freedom (ADF) senior counsel Tyson Langhofer sent a [letter](#) to the school district requesting Cross' reinstatement.

According to an ADF [press release](#), "The school responded to the letter by doubling down on its unconstitutional actions and stating that it intends to stand by its decision to suspend Tanner. In response, ADF attorneys filed suit against the school district Tuesday and asked the court to immediately halt the enforcement of Tanner's suspension."

"Public schools have no business compelling teachers to express ideological beliefs that they don't hold, nor do they have the right to suspend someone simply for respectfully providing their opinion at a public meeting," Langhofer said in the statement. "The school district favors a certain set of beliefs on a hotly contested issue, and it wants to force Tanner to cry uncle and endorse them as well. That's neither legal nor constitutional, and neither was the school's move to place Tanner on leave."

The [lawsuit](#) maintains that Cross' suspension should be overturned because it violates his rights to freedom of speech and religion as guaranteed by the Virginia constitution. It further argues that by suspending Cross for his remarks, the district engaged in illegal "viewpoint discrimination"; teachers who spoke in favor of the policy, after all, were not punished. And it notes that Cross' punishment will have a chilling effect on school employees' speech. This isn't mere speculation: Attached to the complaint are signed affidavits from several employees who wish to speak out on the proposed gender policies but are refraining out of fear of retaliation.

The suit asks for injunctions forcing the district to reinstate Cross, to remove all references to the suspension from his personnel file, and not to engage in any further retaliation against him for his remarks.



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