

# LoudounNow



Tanner Cross speaks at a rally supporting him at Cornerstone Chapel Friday, June 4. [Norman K. Styer/Loudoun Now]

## Loudoun Judge Orders Reinstatement of Teacher Suspended After Criticizing Draft Transgender Policy

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A Loudoun Circuit Court judge today granted a temporary restraining order to a Leesburg physical education teacher who was placed on leave last week, two days after speaking at a School Board meeting to object to a proposed policy on the division's protocols for addressing transgender students.

Following a [three-hour hearing Friday](#), Judge James Plowman concluded that school division administrators violated Tanner Cross' constitutional

rights to free speech and religious freedom when imposing the suspension from his job and barring him from school properties. “The Court finds that the Plaintiff’s speech and religious content are central to the determination made by the Defendants to suspend Plaintiff’s employment. The Court further finds that the weight of the evidence and the totality of the circumstances, clearly show that the four prongs for issuance of temporary injunction have been satisfied,” Plowman wrote.

The decision also noted that the school system went beyond a normal suspension by also restricting his access to all Loudoun County Public Schools properties, which would include the administration building where the School Board meets. Plowman repeatedly described the action as a “retaliatory suspension” and described decision to announce the suspension in an email sent to the Leesburg Elementary School community as “unnecessary and vindictive.”

The school system is ordered to reinstate Cross to his previous position, a P.E. teacher at Leesburg Elementary School, with the injunction remaining in force until a trial or the end of the year. That trial on Cross’s suspension is not yet scheduled.

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Cross was suspended two days after saying at a School Board meeting, for religious reasons, he would not abide by new protections for transgender students, which the School Board is currently working to implement locally as required by state law. The school system at a hearing Friday argued Cross’s speech had caused a disruption in part because five families had written to the school to request their children have no contact with him, as well as pointing to higher suicide rates and mental health problems among transgender students whose gender identity is not affirmed.

Cross is represented in the lawsuit by the Alliance Defending Freedom, a Christian nonprofit headed by Michael Farris, who is also a founder of the Home School Legal Defense Association and Patrick Henry College in Purcellville.

“Nobody should be punished for expressing concern about a proposed government policy, especially when the government invites comment on that policy. For that reason, we are pleased at the court’s decision to halt Loudoun County Public Schools’ retaliation against Tanner Cross while his lawsuit continues,” Farris stated in a press release after the decision. “Educators are just like everybody else—they have ideas and opinions that they should be free to express. Advocating for solutions they believe in should not cost them their jobs. School officials singled out his speech, offered in his private capacity at a public meeting, as ‘disruptive’ and then suspended him for speaking his mind. That’s neither legal nor constitutional. Dozens of other teachers have shared their beliefs on various policies without retaliation; Tanner deserves to be treated with the same respect.”

A Loudoun County Public Schools spokesperson declined to comment on the ruling.

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