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## Anti-Queer Policy & Rural Schools: A Framework to Analyze Anti-Queer Policy Implementation in Rural Schools

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### Cover Page Footnote

We would like to thank Dr. Amy Price Azano, Virginia Tech, for providing initial feedback and revisions. Her perspective and advocacy for rural Queer youth and educators was extremely valuable as the first reader to this policy brief.

## Policy Brief

# Anti-Queer Policy & Rural Schools: A Framework to Analyze Anti-Queer Policy Implementation in Rural Schools

Clint Whitten  
Courtney Thomas

There are more than 300 anti-Queer policies that are being proposed and implemented across the nation that impact education, including Tennessee's Senate Bill 1229; Virginia's *2022 Model Policies on the Privacy, Dignity, and Respect for all Students and Parents in Virginia's Public Schools*; and Florida's *Parental Rights in Education Bill CS/CS/HB 1557*, expanded April 2023, which prohibits topics of gender and sexuality in K-12 public education, unless related to reproductive health lessons. This brief offers a critique of three assumptions that can be applied to analyze how anti-Queer policies influence Queerness in rural schools. Our experiences that brought us to this topic: Clint Whitten grew up on a farm in Southern Virginia and is an openly Queer former middle school teacher in a rural serving school; Dr. Courtney Thomas is an openly queer Professor of Political Science from a rural community parenting an openly trans and nonbinary child in a rural school system.

### Does the Policy Make Assumptions on One Type of Parent?

*Schools shall defer to parents to make the best decisions with respect to their children. Schools shall partner with parents: Parents are a child's primary and most important educator (Virginia Department of Education, 2022, p. 2-3).*

As demonstrated in the excerpt from 2022 Model Educational Policy, many anti-Queer policies are justified on the basis that parents' rights should be protected. Prioritizing parental rights within educational policy operates under the assumption that cis-heterosexual families are the only families that matter, and that they will make choices in the best interest of their children regarding topics on gender and sexuality. Families and caregivers who are Queer-identifying and who have Queer youth are erased from the narrative that creates a one-sided type of "parent" and "family." If these policies are enacted in communities that only value cis-

heterosexual humans and relationships, then Queerness is further pushed from existence. Additionally, some families in rural spaces may wish to support their Queer child; however, based on the policy, those parents may be hamstrung to do so due to these restrictive policies. In other words, rural parents are not all the same. These policies purport to speak for "all parents" or defend parents' rights but some are left out.

Rural communities have Queer people inhabiting them (whether identifying currently or in the future) (Slepyan, 2021). Queer youth, educators, families and caregivers, and community members must be part of the policy conversation in order for schools to be places that accept and value every child and educator.

Queer students—regardless of where they live—are not isolated or protected from the homophobic and transphobic rhetoric and legislative movements sweeping the country. The lived experiences may be more pronounced for Queer people in rural areas (especially if they are hypervisible). Queer youth, parents, and educators may feel that they are personally threatened by things happening to Queer people elsewhere.

Another potential harm of these policies is an impact on the teaching workforce. As rural schools focus on teacher retention, these anti-Queer policies risk pushing more Queer educators and families out of rural schools. The experiences of rural Queer youth, educators, families, and caregivers differ from their urban and suburban counterparts because of the lack Queer-affirming visibility, curricula, and resources.

Furthermore, the assumption that every parent knows or acts upon what is best for their children is flawed. Courtney, the author, and parent of a trans child, reports that her trans child suffered for several years because—as a parent—she did not know that she needed to teach her elementary age children about nonbinary identities. A long overdue conversation about gender led to what Courtney's child calls "a breakthrough in those three years of

complete anger and sorrow and confusion,” coming out as nonbinary, and social transitioning at home and at school. Courtney recognizes the harm she caused her child and maintains that even an affirming and accepting parent may not always know what is best for their child.

Partnerships between schools and families are critically important, but students need access to resources, language, and information that families may not be able or willing to provide. Beyond Queer-identifying people, rural communities also have affirming and supportive parents of Queer youth who are often excluded in the push for parental rights. As an openly Queer educator (Clint) and the parent of a Queer child (Courtney), we want (*need*) Queer youth to see themselves in the curriculum and to have affirming safe spaces; however, the anti-Queer policies have created spaces in which Queer existence is problematic and deemed as politically divisive.

Advocates and educators who wish to challenge assumptions about there being one type of parent or critique education policies for how they may be anti-queer can ask questions such as: *Are all parents considered? And how are schools and communities working together to support and listen to your Queer voices?*

### **How Does the Policy Define Gender and Sexual Identities?**

*The phrase ‘transgender student’ shall mean a public-school student whose parent has requested in writing, due to their child’s persistent and sincere belief that his or her gender differs with his or her sex, that their child be so identified while at school. (Virginia Department of Education, 2022, p. 5)*

The example above from Virginia’s 2022 Model Educational Policy is an example of a policy that, in its failure to define gender and sexual identity, represents anti-Queer educational policy. The word choice is especially problematic. Being transgender is not connected to a persistent or sincere *belief* that *his* or *her* (which fails to include inclusive pronouns such as *they/them* and *zie/zir*) identity is different from their sex assigned at birth. The language also fails to be inclusive of intersex youth and educators. The language in this policy reveals an assumption that dismisses societal (and family) expectations, medical biases, and temporal fluxes that happen while exploring gender identity and sexual orientation.

These misleading, undefined, and sometimes contradictory policies, impact rural administrators in negative ways. Administrators in rural schools tend to wear many hats and play many roles (Preston et al., 2013). For administrators who are already overworked, it may be difficult to implement and comply with these rules that lack clarity. When policies define gender and sexuality in vague or unscientific ways, principals are left to interpret and apply the laws. In some cases, assumptions and stereotypes about gender and identity can impact curricular decisions—for example, a theater student who wishes to perform as a gender that does not align with their school records may be prohibited from doing so even though, historically, especially in Shakespearean times, actors played all genders and in small rural schools, students may need to play roles of other genders if not enough of one gender try out for the school play.

The Virginia example is one of many policies that require educators to report to families of any name or pronoun changes or any suspicion that students are not identifying with their biological sex. For example, Virginia Model Policy (2022) states,

Parents are in the best position to work with their children and, where appropriate, their children’s health care providers to determine (a) what names, nicknames, and/or pronouns, if any, shall be used for their child by teachers and school staff while their child is at school, (b) whether their child engages in any counseling or social transition at school that encourages a gender that differs from their child’s sex, or (c) whether their child expresses a gender that differs with their child’s sex while at school (p. 2).

While these policies harm non-binary and trans youth, they also have negative implications for all youth. Historically, for example, stereotypes have highlighted female-identifying youth who dress masculine as being “tomboys.” Under these vague policies that fail to address gender expression versus identity, students are at risk of being outed to their families and caregivers whether they identify as Queer or not and without consideration for their safety. When school systems implement policies that enable or force teachers to report to parents when they “have reason to believe” that a student is identifying as a gender that does not conform to their school record, they may endanger that student.

These policies affect educators’ autonomy within the classroom by deeming Queer existence as part of “controversial teaching issues” and those policies govern political activities and bodies of educators and

youth. When Queerness is made, by definition, “obscene,” as it would have been by Idaho HB314 (2023), which bans materials that includes sexual content (e.g., “homosexuality”), it forces Queerness to hide within individuals and spaces and leads to educators and students to feel disconnected to their schools and communities.

When definitions are vague or difficult to implement, or when educators are told they may not support the students they teach or respect students’ needs, these policies make it harder to recruit and retain educators who wish to teach in a caring, tight-knit, rural community, thus further exacerbating rural school teacher shortages.

When policies are proposed that would legislate how gender and sexuality are defined, advocates might ask *questions about how Queer terms are defined and used including whether any rural trans, intersex, and non-binary people have been part of the conversation when gender was getting defined and whether the terminology is consistently and defined with care.* Advocates might also ask: *Who are the policymakers proposing these policies?* and *What Queer-affirming training is there for the people creating and implementing these policies, specifically in rural areas?*

### **Will the Policy Erase Rural Queer Educators and Students?**

When policies center the experiences of some parents over others, and use vague and conflicting definitions, Queer existence in rural spaces could become even more erased. As part of the larger discourse of Queerness in schools, conservative policymakers and political leaders call to ban books that have topics of sexuality explicit material and eliminate safe space stickers, pride flags and pride clubs. This erasure makes it difficult for Queer students to find each other and affirming adult support within their schools. When rural educators implement these policies in spaces that lack awareness, educators may experience greater discomfort levels with Queer topics and fear of getting in trouble from administrators, community members, and/or caregivers. This risks the potential of erasing a group of people from rural conversations, communities, and narratives.

These policies aim to erase Queer students and Queer subjects from the curriculum. In a state or school with anti-Queer policies, it might be against the rules, or at least feel risky, to plan units such as selecting a month to learn about LGBTQ+ leaders

around the world or connections between LGBTQ+ rights movement and civil wars or read books about families that include same sex parents. In language courses, teachers might feel that they are not allowed to include nonbinary pronouns (including neopronouns like zie and zir) which gives students access to describe who they are.

These policies also influence participation on athletic teams. Not only are there numerous proposed and existing laws to prohibit the participation of transgender athletes on school teams, state governing boards can limit participation without legislative or executive action. For example, high school athletic teams often follow policies enacted and enforced by the Virginia High School League (VHSL), a non-profit organization whose members are an alliance of schools in Virginia. In 2014, the VHSL developed a transgender policy (28A-8-1) that allows transgender student-athlete participation with documentation including a written statement affirming the consistent gender identity and expression, letters from parents, friends, or teachers affirming the gender identification and expression, a list of prescribed and non-prescribed medications, and written verification from a healthcare professional regarding the student’s gender identification. However, the Virginia Governor’s 2022 *Model Policies on the Privacy, Dignity, and Respect for All Students and Parents in Virginia’s Public Schools* requires that “for any athletic program or activity that is separated by sex, the appropriate participation of students shall be determined by sex” (p. 18). Not only does the current VHSL policy exclude nonbinary and intersex students, it conflicts with the Governor’s model guidance. The regulations are confusing, and the jurisdictions are unclear in ways that may prevent transgender student participation on school athletic teams and further alienate transgender students from their peers and communities.

In summary, for any law or policy that would impact students, it is important to ask: *Will the policy result in erasure? That is, will it make it harder for Queer kids and educators to simply exist?*

### **Implications/Conclusion**

Utilizing Brenner’s (2023) critical rural policy analysis as a foundation, a Queer framing can be applied to further this critical analysis framework. Brenner’s piece operates as a foundation to ground rurality in conversation with anti-Queer policies. Similar to the ways in which Brenner challenges the assumptions and definitions of rurality, policymakers

and educators must be critical of the assumptions and definitions of gender and sexuality within policies. In this way, a critical rural Queer policy analysis framework can support Queer livelihood in rural schools who already face more challenges than their urban counterparts. As policymakers and educators navigate these oppressive and harmful policies, it is important to examine the purpose and ways in which parent-centric policies operate. A critical rural Queer policy analysis framework targets the ways in which cis-heterosexual values get reproduced under the assumption of being ‘parent-centric,’ engages with gender and sexuality definitions, calls on us to examine the ways in which Queerness is being erased from rural communities, and asks us to consider the how anti-Queer policies impact both Queer students and teachers alongside rural schools and communities—will they exacerbate teacher

shortages, create danger for Queer students and teachers who may be more visible in rural spaces, or create mental health issues for rural youth in areas where there may be limited access to mental health care, and what other rural-specific consequences may be faced by schools and communities. Through this critical policy analysis, rural Queer-identifying youth, educators, caregivers, community members and Queer-affirming allies and advocates can challenge anti-Queer policies and (re)exist fully in rural schools.

*Author’s Note:* We would like to thank Dr. Amy Price Azano, Virginia Tech, for providing initial feedback and revisions. Her perspective and advocacy for rural Queer youth and educators was extremely valuable as the first reader to this policy brief.

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