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Local trans advocates speak out against model policies

Alice Berry

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Charley Burton, a local activist for the LGBTQ community, says that Youngkin is playing God with children's lives. ALICE BERRY, THE DAILY PROGRESS

Alice Berry





People are making their own assumptions."

The 2022 policies would require students to use school programs and facilities that correspond to their biological sex. Parents would have to give teachers and staff permission to call students by a different name or pronoun. Parents would also have to provide legal documentation, like a court order to change someone's name, in order to update a student's name and gender on school records.

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They represent a radical change from former governor Ralph Northam's 2021 model policies, which allowed students to choose the name, pronouns and bathrooms that fit them. Only 10% of Virginia schools took up Northam's policies, which lacked an enforcement mechanism.

Burton and others say supporters of Youngkin's new guidance seem to think that schools are transitioning kids from the genders they were assigned at birth to different gender identities.

Transitioning, the process a trans person undergoes to align with their gender, is often difficult. Trans people who decide to medically transition, take hormone therapy or get gender reassignment surgery, for example, can incur an exceptional financial burden.

Burton, who transitioned 12 years ago, said that coming out as trans has cost him jobs. He's worried about what Youngkin's model policies will mean for children, who are already vulnerable.

"It takes a lot to reach alignment," Burton said. "People aren't doing this because it's a fad."

Natalie Painter, a trans woman, and her nonbinary child, Julia, know that firsthand. A nonbinary person is someone who identifies as neither male nor female.

"No one can just go to a school counselor and say, 'I'm trans' and all of a sudden transition. It just doesn't work that way, but that is the way it's perceived," Natalie said.

The policies were released on Sept. 16 a Friday. That suggested to Equality Virginia's executive director Narissa Rahaman that Youngkin wanted to keep things quiet. They were published without fanfare as many journalists were preparing for their weekends.

Regardless, students immediately felt the policies' effects.

"That Friday, we got calls from families on behalf of students that were scared to go to school on Monday," Rahaman said. "Just the introduction of policies like this has an effect on trans and nonbinary students."

Alex, a nonbinary person who works at a nonprofit that partners with Albemarle County Public Schools, said that the kids they work with are afraid.

"They're not sure who is safe, who they can trust," said Alex, who uses the gender neutral pronouns they and them. Alex is not out to their parents and asked to only be identified by their first name.

Julia, a freshman at Orange County High School who uses the pronouns they and them, said that they realized they weren't a boy or a girl during the pandemic. They went to therapy to work through their struggle with gender identity and had a supportive family to help.

Although most people were accepting when they came out as nonbinary, not all were. It cost them some friends.

"It was really hard. Most of my friends accepted me, but it was just that their parents wouldn't want me hanging out with them anymore," they said.

Julia's teachers, by and large, have been supportive. This was the first year that they told their teachers that they were nonbinary. Most of them thanked Julia for telling them.

"My gym teacher, on the first day, she called me down from the bleachers and asked what locker room I would like to use. I still use the female bathrooms and everything, but it was amazing to have that option," Julia said.

For their mother, Natalie, this suggests that the treatment of transgender and nonbinary students in Virginia schools isn't an issue. Schools already have policies in place for how to accommodate both students and families. It seems to Natalie that politicians are using young people like Julia to further their careers.

"There hasn't really been pushback for the few kids who are trans or nonbinary. So it's very disheartening to see this come and hurt a school like Julia's," Natalie said.

It's been a tough month for the Painters. Natalie checks in with Julia several times a week at the dinner table to see how they are coping.

It isn't clear how Youngkin's policies came about. Both Albemarle County Public Schools and Charlottesville City Schools said in press releases that their protocols for the treatment of trans students were developed in concert with those most affected and use evidence-based best practices.

"The 2022 model policy posted delivers on the governor's commitment to preserving parental rights and upholding the dignity and respect of all public school students. It is not under a school's or the government's purview to impose a set of particular ideological beliefs on all students. Key decisions rest, first and foremost, with the parents. The previous policies implemented under the Northam administration did not uphold constitutional principles and parental rights, and will be replaced," said Youngkin spokeswoman Macaulay Porter.

Burton finds it especially galling that Youngkin would make this decision for schools across Virginia without consulting schools and families.

"Who are you to play God with a child's life?" he said.

Julia is likely to continue to be able to use their pronouns and the bathroom that suits them because they're out to their mom.

"What's really going to hurt everybody is if the kid doesn't have accepting parents and can't come out to them," Natalie said. Julia already knows some classmates who can't come out to their families.

"School should be safe for kids," Burton said. "They spend eight, 10 hours a day there, and sometimes home isn't safe."

A survey from the Trevor Project, a non-profit focused on suicide prevention for LGBTQ young people, found that more than 60% of LGBTQ youth said they came from unsupportive homes.

Not letting trans kids use the bathrooms or play on the sports teams that match their gender identity can leave them open to bullying.

"Kids are resilient, but only up to a point," Burton said.

Though he didn't realize he was trans until later in life, Burton dealt with depression and substance abuse issues early on. His grades started to drop, and he needed to maintain a certain average to keep playing sports. That pushed him to pay more attention in class.

"Sports saved my life," Burton said. If he had been unable to play on a team because of his gender identity, it would have been devastating.

Burton worries that the policies, if adopted, would make suicide even more prevalent among young trans people. A Trevor Project survey found that 45% of LGBTQ young people considered suicide in the past year. One in five trans kids attempted suicide. Among the general youth population, one in five high school students considers suicide and 9% have attempted suicide, according to the National Alliance on Mental Illness.

"It's not that these kids inherently have mental health issues," said Dave Lewis, a social worker who serves as the clinical supervisor of youth counseling at ReadyKids, a social services organization in Charlottesville.

Things get better when trans kids have at least one person who supports them—be it a family member, friend, or teacher, Lewis said. But he's concerned about what will happen to an already marginalized group as LGBTQ youth face greater discrimination.

"Increased rejection also leads to really high rates of homelessness," Lewis said.

According to the Trevor Project, 28% of LGBTQ young people experience homelessness or housing instability. These rates are higher among transgender and nonbinary youth. Overall, 3% of adolescents between ages 13 and 17 are homeless or

deal with housing instability, according to the University of Chicago's Voices of Youth Count.

Things were already difficult for trans and nonbinary young people. The students Alex works with show symptoms of anxiety and depression. Alex also sees a lot of students who self-harm.

"Honestly, I don't know how they make it every day," Alex said.

The issue includes more than just LGBTQ students. Advocates and trans people say that the model policies create privacy risks for all students.

Burton is concerned that trans adults and other marginalized communities might be targeted next. Ultimately, he attributes this restriction of trans students' rights to ignorance and fear.

"This is bigger than we realize. I'm not sure where this ends," Burton said.

By Alice Berry