

The *Tanner Cross* Case

Case Name: *Cross v. Loudoun County School Board*

Case Status: Awaiting trial

Significance: Whether a school board can punish teachers for freely expressing their opinions about a proposed school policy at a public school board meeting



Background: Tanner Cross, a faithful Christian, has been an educator for 15 years and cares deeply for all his students. When the Loudoun County public schools proposed a new policy requiring students and teachers to refer to “gender-expansive or transgender” elementary students with whatever pronouns they select, Tanner decided to voice his concern at a school board meeting during the public comment period. Tanner spoke in his personal capacity alongside other Loudoun County citizens to explain how the policy would harm students and teachers by requiring them to say things they believe are not true. Less than two days after Tanner expressed his opposition to the policy in a public forum, the school placed him on administrative leave, specifically because of his out-of-school speech. Nobody should be punished for expressing concern about a proposed government policy, especially when the government invites comment on that policy. That’s why ADF has filed suit on behalf of Tanner.

Key Points

- 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.
- Government employees should not be disciplined for expressing their views on important issues in private, unofficial capacities.

Key Facts

- Tanner is a P.E. teacher at Leesburg Elementary School where he spoke out against a proposed policy in his personal capacity during the public comment period of a school board meeting.
- The policy in question would force teachers to express messages that violate their beliefs. Everyone should be free to speak to a public body about their concerns that proposed policies violate their constitutional rights.
- Tanner went to school the day after speaking, and there was no disruption of any of Leesburg Elementary School’s services; but officials labeled his speech as “disruptive” and suspended him anyway.
- Public schools can’t retaliate against staff members for freely sharing their sincerely held beliefs and ideas; censoring teachers in this way is a violation of free speech.

The Bottom Line: Everyone should be free to express concerns about a proposed government policy during a public meeting without retaliation from the government.