

# New Jersey Herald

## EDUCATION

# Sparta BOE pushes to replace transgender policy as LGBTQ+ advocates blast 'fear-mongering'

3-minute read



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SPARTA — Sussex County's largest school district may join the list of New Jersey schools to repeal a transgender student policy, a move that has already prompted lawsuits by the state attorney general in other towns.

The Sparta Board of Education voted 5-0 on a first reading Thursday night to eliminate a district policy that requires faculty to accept a student's preferred gender identity and pronouns, without requiring that parents be notified of any change in identity. The policy, 5756, was modeled on state recommendations that some New Jersey school boards have begun to challenge in the name of parental rights. A final vote on the repeal in Sparta is expected next month.

Members of the public criticized the board's handling of the vote, as the policy was not on the agenda and thus ineligible for discussion until board President Kurt Morris made the motion to repeal immediately after the first public comment session. Board rules state that the initial comment period is for agenda items only, meaning residents could not weigh in until the second session after the vote had taken place.

"You called the issue, you called the vote, and you decided it before any of us got a chance to speak," Sparta resident Scott Noel angrily told the board during the second public comment. "You should all be incredibly ashamed of what just happened. It's ridiculous."

Board attorney Marc Zitomer said the board acted properly in its proceedings Thursday. He cited the Open Public Meetings Act, which states that the agenda for any meeting must be published "to the extent known."

"If it's not known ahead of time, definitively, that it's going to be on the agenda to be brought up or made as a motion, it does not have to be on the agenda," Zitomer said.

Morris voted to approve the first reading, along with board Vice President Leigh McMichael and members Christina Keiling, Walter Knapp and LeeAnne Pitzer. Lauren Collier, Craig Palleschi, Wendy Selander and Vanessa Serrano were absent from the meeting.

Residents learned of the transgender policy's planned repeal after Pitzer, who is running for re-election this year, discussed the issue in a link posted to her campaign website last week. She urged the board to "take time to write thoughtful policy regarding transgender students so they remain fully protected while still being able to keep parents informed."

Pitzer was elected to a one-year term on the Sparta board last year as part of a six-member "Students First" team. All members of the slate except Collier were in attendance Thursday to vote on the policy.

McMichael, in explaining her vote, said transgender students will be protected through existing state statutes. The board only wanted to address the policy's lack of notice to parents about their child's change in gender identity, which is what was "giving some pause," she said.

## **Policies spur lawsuits**

The Hanover Township Board of Education in Morris County adopted a policy in May that required teachers to inform parents of changes to their child's gender identity. The move led New Jersey Attorney General Matt Platkin to sue Hanover and three other districts seeking similar policies, alleging the measures threaten the privacy of LGBTQ+ kids and violate the state's Law Against Discrimination.

Hanover later revised its policy, but the lawsuit remains pending after Platkin said the revision is still unlawfully discriminatory.

At a court hearing for the case in Morris County Superior Court in early September, Deputy Attorney General James Michael acknowledged the state policy on gender identity was not mandatory. Hanover rescinded its existing policy a week later, and Roxbury announced it would further discuss its own guidelines amid parent concerns.

Members of the Sussex County chapter of PFLAG, a national LGBTQ+ organization, attended Thursday's meeting to support the transgender policy and denounce the board's step to rescind it. A statement from the group noted that the policy is in place to protect vulnerable students and wondered why the issue is only being brought up now.

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"This is a manufactured problem that encourages fear-mongering, bigotry, lies and scapegoating of the LGBTQ+ community," said PFLAG member Anne O'Dair.

Shawn Carroll, a transgender parent of two children in Sparta schools, spoke about his own difficult experiences transitioning in the 1990s. He described his parents' initial reaction as "lukewarm at best," but noted that he was fortunate compared to other kids who are abused or kicked out by their parents for being transgender.

"I don't want kids to be in a position where they feel like they don't have any kind of safe space - and unfortunately a lot of these kids don't have safe spaces at home," Carroll said. "I think we need to be really careful about the message that we're sending as parents, especially as board members who are sitting here and trying to make these policies that don't take that into account."

## **Student safety remains 'utmost priority'**

Superintendent Matt Beck explained that many components of the transgender policy are "rooted in statute," meaning certain rules will remain in place even if the policy is taken away. He said he will continue to work with the board on the potential repeal, while stressing that student safety is "of the utmost priority."

"I understand that in some cases, maybe it would be in the best interest for parents to be notified, and under other circumstances it might not be in the best interest of the student," Beck said. "With this policy going through a first reading tonight, I and the board committee have some work to do to figure out exactly what that would look like if the board, in fact, decides to go through second reading."

The K-12 Sparta district served 3,266 students last school year, according to enrollment data from the state Department of Education, the most in Sussex County.

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