



**Harrisonburg**  
City Public Schools  
Office of the Superintendent

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“A place where learning has no limits and together we work for the success of all.”

January 28, 2022

Via Email Delivery (1/28/2022)  
Katherine L. Anderson  
Sr. Counsel, Director of Center for Parental Rights  
Alliance Defending Freedom  
15100 N. 90<sup>th</sup> Street  
Scottsdale, AZ 85260

Re: Your January 14, 2022 Letter

Dear Ms. Anderson:

Please allow me, as a courtesy, to acknowledge and preliminarily respond to your letter dated January 14, 2022. Although I have not yet had a meaningful opportunity to discuss your letter with our School Board, I thought it might first be helpful to initially respond to you and provide clarification in hopes to promote a better understanding. Let me emphasize that this letter is not being sent on behalf of the School Board and it is not intended to be comprehensive. It is simply a genuine effort on my part to communicate in both a constructive manner and in an effort to provide information responsive to the concerns you raised. Thank you for taking the time to consider this letter in that amicable spirit.

Ideally, I would have liked to respond to you even sooner, as a courtesy. But as you know, we continue to be in a pandemic and are having to focus on the related challenges to maintain a safe environment for our students and staff — all in an effort to keep our schools open. Like many other employers, we have stresses with keeping an adequate staff daily in our instructional and operational capacities. Please be patient; we are not necessarily able to satisfy a unilateral time deadline demand.

Our primary focus in Harrisonburg City Public Schools is to support ALL students. It is apparent from your letter that we have a shared belief for every child to be treated with dignity and respect, and that all students must be cared for by their school community. Our strategic plan reflects these very beliefs and commitments to all of our students, and also includes others that relate to the aspects raised in your recent letter. Our strategic plan continues with the belief that “working together *with families and support networks* is essential to student success” and in “creating a safe social, emotional and physical environment to allow for authentic connections and *trusted relationships*.”



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In addition, our School Board has strong nondiscrimination and equal educational opportunity policies that are paramount in all that we do. With regards to transgender or gender transitioning students, we have practice guidelines in place that focus first and foremost on the privacy, dignity, and respect for our students. While also respecting the deeply personal and specific student and family situations that inherently relate, our practices are largely informed by the Virginia Department of Education's Model Policy for the Treatment of Transgender Students. We also understand and appreciate our responsibilities under Title IX, as it prohibits discrimination on the basis of sex in schools, which is now interpreted to prohibit discrimination on the basis of gender identity and sexual orientation.

In specific student situations, the focus is always to foster a team approach that includes and supports the unique needs of the student, their families, and others on a case-by-case basis. Contrary to this focus and our overall commitments, your letter suggests that we have a practice of deceiving parents with regards to their child's use of pronouns or preferred name during the school day. That really is not our approach, so please allow me to briefly describe our general process.

As the text from our staff-based and School Board presentations demonstrate, student requests to use a different pronoun or name are to be first referred to a school counselor. The school counselor then works with the student and ultimately convenes a team consisting of school staff and administration, *the student's family*, and other school partners, as needed on a case-by-case basis, to support the student. The school counselor is integral to this process. As a part of the privacy and respect afforded to these specific student matters, we believe it most appropriate for the school counselor to lead the communication with students *and families*. Consistent with our practices involving cisgender students who may go by a nickname or name other than their legal name, we continue to use a minor student's legal name on all official school documentation, *until otherwise authorized by the parent(s)*.

We recognize that there may be mental health counselors, medical providers, and others with differing views on how to support families and students with regards to gender transition. By not having a one-size-fits-all approach, we believe this makes the role of our school-based teams all the more important. We also believe that this practice not only supports and affirms students with deeply personal and individual experiences, but is also in furtherance of our priority to support all students.

Our practices are relatively new and are subject to revision as we gain more information and insight. As you have noted, our practices were first presented to our School Board on October 19, 2021. As the presentation indicated, student focus groups were underway and planned for the future. At the time, our student focus groups had reported that "collaboration between school *and family* supported improved wellbeing." Building off of that success, parent focus groups are currently underway/also planned for this semester.

Our aim, as I've tried to explain, is collaboration and support, consistent with our strategic plan, our values and policies, and applicable law. As our focus groups and experiences continue,

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our practices will also continue to evolve. We are available and glad to meet with parents and staff who may have questions or concerns about our current practices or suggested ways in which we can improve. Please share this invitation with your clients as I am not aware of any concerned parents or teachers within our school division who have been impacted by our practices as you suggest.

As this good faith response shows, I am hopeful that you are willing to withdraw what appears to be the threat of a lawsuit or other action against our School Board. Legal threats are not necessary and, as I would submit, are contrary to the team approach that we seek to model. While I have concern about the potential for legal action to divert the resources, time, and attention away from our students who need it most, I also believe that we may be able to set a better example for our school community and our students if we avoid them and, instead, have a mutually respectful conversation should there be additional questions or concerns.

Thank you for taking the time to consider this response. I do appreciate your time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael G. Richards", with a long horizontal flourish extending to the right.

Michael G. Richards, Ed.D.  
Division Superintendent

Cc: School Board Members