

A FALSE “CHOICE”: EMBODIED  
RHETORIC FOR A SEX EDUCATION ROOTED IN REPRODUCTIVE JUSTICE

by

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## ABSTRACT

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Sex education in Wisconsin, which the state refers to as Human Growth and Development (HGD) instruction, has long been a topic of great controversy amongst community members, school board members, parents, educators, and students. This Master’s project leans into this discomfort by exploring the public rhetoric that takes place over Wisconsin’s HGD curriculum as outlined under Wisconsin state Statute 118.019 in two school districts: Madison Metropolitan and Wauwatosa. This project uses archival school board meeting footage to analyze the embodied rhetoric of students while discussing their district’s HGD curriculum in school board meetings and analyzes students’ embodied rhetoric within the larger context of the rhetorical ecology (Edbauer) surrounding the HGD curriculum. In my analysis, I also draw on Reproductive Justice (SisterSong) critiques of choice-based rhetoric and highlight the ways in which Statute 118.019 embeds the concept of “choice”. I argue that students’ embodied rhetoric in school board meetings enacts Reproductive Justice critiques and reframes conversations around HGD curriculum from a focus on individual choices to broader and more sustainable

understandings of community care.

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## **Introduction**

I learned about my body in school in a small, elevated mobile classroom we called the “annex.” We went there for PE in lieu of playing dodgeball or running the mile with our male peers. We also ate lunch in the annex, so on the day we were supposed to have “the talk,” we had to move the foldable tables to the sides of the room and arrange the chairs in a half circle. Our PE teacher’s daughter sat in the center. She was a woman we had never met before, but we presumed was brought in to speak with us because she was also female, and the youngest employee at the school.

She passed around small notebooks and pens. These were not meant for us to take notes on the discussion, but rather, she explained, for us to start writing letters in to one day give to our future husbands, preferably on our wedding night. She insisted that our future husbands would be so moved to know that their wives, even at 13 years old, were pining for them. Praying for them. What an excellent gift this would make. A gift someday wrapped in unbroken paper, just like our bodies.

She continued with this metaphor of our bodies as a perfectly wrapped gift that once broken, could never be wrapped again in the same, perfect way. It was unclear to me what exactly could “break” the wrapping of my body. I looked in front of me, and my peers nodded earnestly. I looked to my right and only one peer expressed on her face the same concern I felt inside. She had a reputation at our small, evangelical Christian school for being a “distraction” to our male peers. She was accused of wearing too much makeup. She blurted out, “Why are you talking about our bodies like that? You don’t even know us. This is weird.”

I muffled a small, “Yeah,” in support, but I was loud enough to catch the embarrassed

gaze of the instructor. My peer and I were both sent out of the annex and to the front office. I was glad for it. Not because at the time I had any articulate response to her gift-wrapping metaphor like my much braver peer, but sitting in that annex and talking about my current and future body as belonging to another body made me want to crawl right out of it. Outside, on the slow walk from the annex to the front office where we would be met with much harsher ridicule, our bodies were ours, and we were grateful for each other.

I've held this story close for years. Many scholars have written about the damaging impact of purity culture within the evangelical tradition, and certainly this story is rooted in that. I am far less interested, though, in the theological perspective of sex education than I am the legal conditions that enabled me to be in that room, in 2009, six years after California passed the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act—which by today's standards would not be considered comprehensive—and learning nothing about sexual health nor HIV/AIDS Prevention. Knowing what I know now, I was there because my parents chose a private, Christian education for me, and that school could largely operate outside the confines of educational law. Years later, I worked in a choice charter school in California and recognized that for nine years my students had not received sex education in any shape or form. Even though the charter school receives public funds and is required to adhere to state education standards, part of the appeal of charter schools is the fact that they are able to operate with less oversight from local and state government than public schools. The school I taught at chose to avoid teaching sex education without any consequences until I told them that that choice violated the law. While this was the only argument I made, my guess is that potential legal ramifications was a more persuasive argument than if I had told administrators that students' bodily

experiences may be impacted by this choice. The concept of choice looms large in both conversations around schools and sex education curriculum, and is the rhetorical refrain I fixate most closely on when I think about my story and how it has informed my personal and professional life.

In this project, I bring Reproductive Justice (RJ) criticisms of the concept of choice (SisterSong) to school board meetings in two Wisconsin school districts in which stakeholders discuss students' sex education curriculum. Amongst these rhetors, I focus on and analyze the rhetoric of students explicitly. In doing so, I seek to expand upon recent efforts within the field of rhetoric (Applegarth, Andersen) to take youth rhetorical agency in public spaces seriously despite constraints on their democratic power, and curb the outsized attention adults maintain as rhetors on issues related to youth—particularly issues concerning the bodies of youth. I fashion my analysis with an academic audience in mind, but ultimately believe that iterations of this analysis would be useful to lawmakers, policy experts, educators, students, and families.

My analysis uses a rhetorical ecologies theoretical framework to discuss the enmeshed legal and educational conditions that exist and inform these spaces and the embodied, public rhetoric students use in these settings. I argue that students' embodied rhetoric in school board meetings enacts RJ critiques of choice with regards to HGD curriculum, and attunement towards students' embodied rhetoric provides lawmakers and school districts with the opportunity to reframe conversations and pedagogy concerning sex education from matters of individual choices to those of community care.

My analysis and argument speak to principles and organizing efforts across the United States around both RJ and school choice policies. Sex education instruction is also a contentious

national issue, and even statewide and presidential candidates incorporate their own ideas around curriculum into their talking points. It would be remiss of me, though, not to note that I specifically situate the argument within Wisconsin, and the ecologies of which portions I trace are those of Wisconsinites. The elements that make up the ongoing rhetorical ecologies of communities—including the two in my case study—vary greatly between them. The community care that students advocate for in the districts I focus on looks different between those communities.

I will begin this project by providing a history of sex education and educational choice policies in Wisconsin. I will also discuss the RJ movement's critiques of the rhetoric of choice, and how this critique extends to school settings. I will define embodied rhetoric and situate it within the theoretical framing of rhetorical ecologies. Then, I will emphasize the importance of embodied rhetoric, particularly for marginalized rhetors, and analyze the embodied rhetoric of students discussing their sex education curriculum at meetings in two Wisconsin school board districts. The method I use for these case studies includes publicly available archival footage of the districts' board meetings. Finally, I will conclude with the lessons I have learned from this project that has bookended my Masters' program, considerations for potential research, and reflections on how the project exists within my own ecology.

### **Sex Education in Wisconsin**

Wisconsin is one of twenty-one states in the United States that does not require schools to teach sex education to students. All topics related to sex education—with the exception of sexually transmitted infections—fall under the category of Human Growth and Development (HGD) curriculum outlined in Wisconsin State Statute 118.019. The earliest version of this

Statute was the 1985 Wisconsin Act 56, titled, “Abortion Prevention and Family Responsibility Act of 1985.” In the time since, the statute has undergone eleven revisions, the most recent of which occurred in 2021. This statute is divided into five parts: Purpose, Subjects, Distribution of Curriculum to Parents, Notice, Exemption for Individual Pupils, and Advisory Committee.

Chapter 118 of Wisconsin’s Statutes governs General School Operations in the state, and section 118.019 specifically focuses on HGD curriculum. The space section 118.019 occupies on the 82-page document, within the larger context of Chapter 118, is striking. Chapter 118 requires that schools teach language arts, math, social studies, and science, and aside from a short section devoted to reading and early literacy practices, the Chapter devotes no demarcated section to any of those subjects in the way that it does HGD curriculum. A small section of Chapter 118 (118.017) does exist specifically for foreign language instruction, but mainly for the purpose of reaffirming the state’s English-only approach to instruction. This context showcases how remarkable it is that Chapter 118 not only devotes an entire section—with five main sub-sections and even further enumerated sub-sections—to a subject matter that unlike its curricular counterparts, is not tested on, a requirement for graduation, or even a subject that needs to be taught in Wisconsin schools. Without any outside knowledge of the history of Wisconsin debates and media attention surrounding HGD curriculum, one could look at Chapter 118 on its own and recognize that HGD curriculum is of particular concern for state lawmakers.

The concern did not originate with lawmakers in Madison, though. HGD curriculum has long been a contentious topic in Wisconsin communities. Rhetorical scholars who performed field work in Wisconsin school board meetings (Asen, et al.) note that a board member once

referred to “the Human Growth and Development controversy” as a moment of time that “tore [their] community apart.” They also said, “Scars still exist. I know people that to this day, aren’t speaking.”

In 2011, the Wisconsin Legislature amended Statute 118.019 through Act 216 to repeal the 2009 Healthy Youth Act, which was the mandate for schools to teach HGD curriculum. As a result, the law in its current form places the responsibility on individual school boards to determine whether or not schools in their district decide to offer HGD instruction, and if so, the Statute also now requires that the curriculum addresses a variety of topics, including but not limited to “the importance of communication about sexuality between the pupil and the pupil’s parents or guardians,” “the benefits of and reasons for abstaining from sexual activity,” and “the positive connection between marriage and parenting.”

Prior to the 2011 repeal of the Healthy Youth Act, schools were required to provide HGD instruction, and the determination of the content of the curriculum was left to the school board. Many school boards elected to use the Human Growth & Development Resource Guide published through the Wisconsin Department of Public Instruction. The most recent edition, the 5th Edition<sup>1</sup>, was published in 2014 with the purpose of providing school districts with information and resources to develop their own effective HGD curriculum within the requirements of the law. Many school districts continue to use the Resource Guide as the baseline for their own curriculum.

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Stern, Lori, Wisconsin Department of Public Instruction. Student Services/Prevention and Wellness Team. *Human Growth and Development: A Resource Guide to Assist School Districts in Policy, Program Development, and Implementation*. 5<sup>th</sup> Ed. Wisconsin Department of Public Instruction, Jan. 2014, <https://dpi.wi.gov/sites/default/files/imce/sspw/pdf/hgdedition5.pdf>

The purpose of HGD curriculum, as stated in sub-section 1 of Statute 118.019, is: “The purpose of this section is to foster a partnership between parents of pupils attending schools in the school district and the schools in the school district to promote the optimal health and well-being of the pupils.” This purpose—which focuses on the partnership between parents, school districts, and schools—excludes students’ rhetorical agency entirely, and it frames the rest of the law that follows. Student learning about their bodies in school is dependent on what this partnership deems “the optimal health and well-being.” The subsequent sub-sections of Statute 118.019 that follow, though, bely the law’s commitment to this purpose. According to the *Georgetown Journal of Gender and the Law* (2019), studies on sex education taught in schools reveal that comprehensive sex education reduced incidences of unprotected sex by 60%. Not only would the topics required to be taught if a Wisconsin school board elects to implement a HGD curriculum not be considered comprehensive according to standards presented by organizations such as the Center for Disease Control and Prevention and the American Academy of Pediatrics, but the ability for school boards to choose not to implement an HGD curriculum entirely is a disservice to students. It is also not reflective of the lived realities of Wisconsin students, 25.8% of whom report ever having had sex and 20.7% of whom report being currently sexually active.<sup>2</sup>

According to Statute 118.019 (2)(a), HGD instruction should include, “medically accurate information” that addresses the following topics: communication regarding sexuality, reproductive and sexual anatomy and changes that accompany maturation, abstinence, healthy life skills, drugs and alcohol, the impact of media, sexually transmitted infections, adoption, and

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<sup>2</sup> Summary Report. *2021 Wisconsin Youth Risk Behavior Survey*. p. 25, [https://dpi.wi.gov/sites/default/files/imce/sspw/pdf/WI\\_2021\\_YRBS\\_Summary.pdf](https://dpi.wi.gov/sites/default/files/imce/sspw/pdf/WI_2021_YRBS_Summary.pdf).

prenatal and postnatal care.” This basic definition differs significantly from the National Sex Education Standards developed by the Sexuality Information and Education Council of the United States (SIECUS), as well as the Professional Learning Standards for Sex Education created by a nineteen-member committee of the Sex Education Collaborative. SIECUS, in its State Profile of Wisconsin<sup>3</sup>, criticizes the state for not requiring comprehensive curriculum that includes discussions on sexual orientation and consent.

Wisconsin Statute 118.019 (5) also requires districts that choose to teach HGD curriculum create an ad hoc advisory committee whose role is “to advise the school board on the design and implementation of the human growth and development curriculum and to review the curriculum.” This committee must be comprised of parents, teachers, school administrators, pupils, health care professionals, clergy, and other residents of the district. With the exception of parents, no single group can comprise more than one-fifth of the membership of the committee. Students’ rhetorical agency only exists within a small sliver of the Statute: a contribution of less than one-fifth of an advisory committee.

Notably, Statute 118.019 excludes any mention of teaching sexuality and gender, or biases around race, ethnicity, and culture that exist in conversations around sexual health. These topics are standards that are recommended for sex education by SIECUS. When Wisconsin school districts do elect to include these topics in the curriculum, the district’s HGD curriculum is more likely to be scrutinized and criticized by groups and individuals who amplify dangerous, discriminatory messages.

For example, in the Fall of 2022, Wauwatosa School District’s decision to revise the

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<sup>3</sup> “Wisconsin State Profile.” SIECUS, 12 Feb. 2021, [siecus.org/state\\_profile/wisconsin-stateprofile/](https://siecus.org/state_profile/wisconsin-stateprofile/).

district's HGD curriculum made national news. The media took decontextualized excerpts of proposed lesson plans and books from recommended reading lists to make inflammatory claims about the district's proposed curriculum.<sup>4</sup> One of the board members, Mike Meier, ultimately ended up suing<sup>5</sup> the district himself after this revised curriculum passed. School boards are presented with the quandary of acknowledging the embodied experiences of a population of their students and risk media scrutiny and legal threats, or adhere strictly to the non-inclusive topics outlined in Statute 118.019. LGBTQ+ youth and students of color are most vulnerable to these decisions.

### **School Choice in Wisconsin**

Wisconsin has a long history of grounding education policies in the idea of choice. In 1989, the Wisconsin State Legislature enacted the Milwaukee Parental Choice Program (MPCP), or “voucher” program through Act 336. Act 336 diverted funds from Milwaukee Public Schools to allow students whose family income was 175% below the federal poverty level to attend non-sectarian private schools. In 1995, the provisions of Act 27 enabled Milwaukee parents to apply to send their student to a public school located outside of the student's school district of residence, opened the program to sectarian schools, and increased the participation limit in the program. In the years following, parental choice programs expanded and spread like wildfire

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<sup>4</sup> Koberg, Kelsey, and Fox News. “Proposed Curriculum in Wisconsin School Includes Gender Identity, Sexual Orientation in Elementary School.” *Fox News*, FOX News Network, 8 Aug. 2022, [www.foxnews.com/media/proposed-curriculum-wisconsin-school-includes-gender-identity-sexual-orientation-elementary-school](https://www.foxnews.com/media/proposed-curriculum-wisconsin-school-includes-gender-identity-sexual-orientation-elementary-school).

<sup>5</sup> Casey, Evan. “Wauwatosa School Board Member Sues His Own Board after It Approved New Gender Identity Curriculum.” *Wisconsin Public Radio*, 9 Dec. 2022, <https://www.wpr.org/wauwatosa-school-board-member-sues-his-own-board-after-it-approved-new-gender-identity-curriculum>.

across the state. The Racine Parental Choice Program was added in 2011, and the Wisconsin Parental Choice Program, which made school choice available across the state, in 2013. Statute 118.60 outlines the different parental choice programs available in the state.

From the beginning, reasons for supporting choice policies varied widely. Proponents of parental choice included white parents and community members who resisted desegregation efforts, as well as Black politicians and community leaders who sought to educate Black youth in community schools. Notably, Black Democratic Assemblywoman Annette “Polly” Williams worked with Republican Governor Tommy Thompson to establish the MPCP, although she later opposed the expansion of the program across the state.<sup>6</sup> The rapid expansion of parental choice programs coincided with other big changes to Wisconsin’s education system, including signing Act 10 into law, which limited negotiating rights for teachers’ unions, as well as the repeal of the Healthy Youth Act.

Over the past thirty years, the idea of “parental choice” has nestled into the very core of Wisconsin’s education system. Lawmakers argued that the decision to repeal the Healthy Youth Act expanded choices for parents pertaining to the type of HGD instruction their child would receive in class. This is notably different from any other subject, where no such choice exists. Parents can also assert choice at multiple points in the process of creating and revising the HGD curriculum. At the most basic level, parents can choose to vote for school board candidates who share a similar vision for the curriculum. Furthermore, they may choose to participate in public hearings at school board meetings through public comments about the curriculum. According to

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<sup>6</sup> Murphy, Bruce. “Murphy’s Law: The Legacy of Annette Polly Williams.” *Urban Milwaukee*, [urbanmilwaukee.com/2014/11/11/murphys-law-the-legacy-of-annette-polly-williams/](http://urbanmilwaukee.com/2014/11/11/murphys-law-the-legacy-of-annette-polly-williams/). Accessed 27 July 2024.

Statute 118.019 (5), parents may also join an advisory committee that makes choices regarding the curriculum for the district. And finally – the most definitive choice – under Statute 118.019 (4), parents can choose to opt their student out of HGD instruction altogether.

### **Reproductive Justice and Critiques of Choice**

The Reproductive Justice movement officially began in June 1994 when a group of Black women gathered in Chicago to organize around uplifting the needs of marginalized communities in response to the women’s rights movement, which was led by white women and pushed an agenda that benefitted white women while ignoring the needs of more marginalized and oppressed groups. The group of women that met in Chicago created a strategy that “combines reproductive rights and human rights” (SisterSong). The women named their group Women of African Descent for Reproductive Justice. In 1997, SisterSong formed as an organization around Reproductive Justice principles. While this is the origin story of the Reproductive Justice movement as we know it today and SisterSong as an organization, SisterSong notes on their website that “Indigenous women, women of color, and trans\* people have always fought for Reproductive Justice, but the term was invented in 1994.” SisterSong defines Reproductive Justice as “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.”

Critiques of choice-based rhetoric are core to the RJ’s movement’s origins as a group and organizing principles. In her book, *Beggars and Choosers: How the Politics of Choice Shapes Adoption, Abortion, and Welfare in the United States*, historian Rickie Solinger describes how choice-based rhetoric functions as “a term that evoked women shoppers selecting among options in the marketplace – would be an easier sell; it offered ‘rights lite,’ a package less threatening or

disturbing than unadulterated rights” (4). Organizations such as SisterSong and the National Black Feminist Organization interrogated “narrow, excluding language of Choice-only rhetoric that does not speak to the sociohistorical and present day realities of Women of Color” (28). SisterSong explicitly distinguishes itself from “pro-choice” movements around abortion. Their website states, “We believe that Reproductive Justice is ... about access, not choice. Mainstream movements have focused on keeping abortion legal as an individual choice. That is necessary, but not enough. Even when abortion is legal, many women of color cannot afford it, or cannot travel hundreds of miles to the nearest clinic. There is no choice where there is no access.”

Rhetorics of RJ is a growing field within academia. Scholars from across disciplines and activists engage with RJ in various ways: Roberta Hunte and Catherine Ming T’ien Duffly analyze RJ discourse in community-based civic participation storytelling efforts (2020), Rachel Bloom-Pojar and Maria Barker (2020) explore the role of *confianza* in “sexual health education in culturally responsive ways ... for multilingual communities to fully engage in the pursuit of reproductive justice” (85), Shui-yin Sharon Yam (2020) uses RJ as a framework to discuss advocacy as an “affective embodied practices that subtly shift the existing power dynamics to make room for marginalized stakeholders and interlocutors” (201), and Maria Novotny (2023) examines infertility as an embodied rhetoric as an “approach to rhetorics of reproductive justice and developing participatory research projects to support the advocacy needs of marginalized reproductive health communities” (186). Each of these scholars—some of whom I have been fortunate enough to learn from and work with closely—lead the charge in establishing RJ as a field within Rhetoric, and have inspired me to make connections between the connections

between RJ, embodied rhetoric, advocacy, and civic participation. Through this project, I hope to join the chorus of voices and add to it a narrow focus on choice-based rhetoric through an analysis of both legal texts and public discourse.

No current literature exists that uses a RJ framework to critique school choice, and literature within rhetorical studies on school choice is limited. Robert Asen is the most prolific writer on the subject within the field, and is joined largely by scholars in education (Scott, Chapman, Hurie, Palmer, Antrop-Gonzalez) and political studies (Johnson). Kelly Jensen's (2021) analysis of Polly William's use of choice-based rhetoric to advocate for the MPCP also pushes scholars thinking on this subject to consider how the refrain of "choice" contains multiple meanings across local publics. Thandeka Chapman and Rene Antrop-Gonzalez (2011) use critical race theory to examine the outcomes of choice-based reform policies. Robert Asen also writes extensively about school choice poses to a democratic education (2021), and argues (2023) that the U.S. pro-market education system seeks to protect "whiteness as property." Andrew Hurie and Deborah Palmer (2022) explore the interrelations of school choice policies and "their implications for language minoritized communities" (4).<sup>7</sup> The concerns Black women have raised regarding the "pro-choice" movement around abortion as a "marketplace" mirror the concerns scholars raise around the capitalist-driven school choice movement, especially with regards to historically oppressed groups.

The marketplace of schools requires varying types of schools in order to compete. By nature, school choice policies demarcate some schools as "good" and others as "bad," and rely on these categories to sustain the marketplace. Thus, within this marketplace, not all students

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<sup>7</sup> It is worth noting that each of these scholars analyzes some aspect of Wisconsin's school choice program within their research.

have access to “safe and sustainable” schools that a RJ framework calls for. These are not theoretical assumptions, either. Among other problems, school choice policies increase racial segregation (Ukanwa, Aziza, and Jones) and diminish outcomes (Lewis-Spector) for students in public schools.

School choice policies do not begin and end with the building itself. These policies open the floodgates for more choice-oriented decisions: uniforms, sectarian options, teacher licensing requirements, and curriculum. The choice-based rhetoric in Statute 118.019 forces students’ HGD curriculum into a marketplace of ideas through the waging of the curriculum in settings of public deliberation and advisory committees, as well as refusal through the opt-out option in 118.019 (4). Furthermore, the stakeholders who have the most currency in the marketplace of choice around curriculum are not those whose bodies are implicated by interacting with the curriculum, nor those for whom the purpose of the curriculum as outlined in 118.019 (1) is designed to promote the health and wellbeing of.

The RJ movement recognizes the “intersecting oppressions” (SisterSong) of marginalized groups and people, and interrogates systems of power that are only reinforced through the rhetoric of choice. This critique can and should extend to school choice policies generally because schools contribute to the “safe and sustainable communities,” which the RJ movement defines as a human right. An RJ critique of school choice adds to the existing critiques the dimension of an ethical failure of school choice policies to uphold human rights for students.

An RJ critique also applies to more narrow education policies that recycle choice-based rhetoric, such as Wisconsin’s Statute 118.019. This project echoes the concerns rooted in the critiques of other scholars, and adds the important call for noticing not just the overarching

choice-based education systems, but choice-based rhetoric latent in the minutia of education policies. The RJ movement is also directly concerned with sex education programs. On SisterSong's website, the group's position on RJ states, "We believe Reproductive Justice is ... Not just about abortion. Abortion access is critical, and women of color and other marginalized women also often have difficulty accessing: contraception, comprehensive sex education, STI prevention and care, alternative birth options, adequate prenatal and pregnancy care, domestic violence assistance, adequate wages to support our families, safe homes, and so much more." An RJ critique fills a gap in the current literature on school choice because it offers human rights and social justice-based alternatives for sex education.

An RJ critique of choice-based rhetoric also reminds us that individuals within systems of power do not hold equitable choice-making power. Despite the seemingly universal framing of choice in Statute 118.019, the choices provided at different levels require certain privileges. For example, only parents and students who can take the time out of their day to attend school board meetings in person or online are the ones who can choose to participate in public deliberation around HGD curriculum. As a result, my case studies do not feature the voices of those who are unable to participate in the meetings. Additionally, in both school districts that I analyze, the required distribution of HGD materials to parents in accordance with 118.019 (3) is only provided in English. I am unsure if the district would accommodate a request for a translation, but a translated option is not currently accessible online. As a result, non-English speaking parents are not able to make the same informed choice about their child's HGD instruction as English-speaking parents. There are also approximately 8,000 students in the state of Wisconsin in the foster care system. The education choices for these students exist in a state of flux and may

change several times between adults over the course of the year. These barriers to access prevent school districts from meaningfully being able to “foster a partnership” between all guardians and school districts. Choice-based policies are not an equalizing lever, but instead increase the marginalization of vulnerable communities.

An RJ approach to sex education for youth would involve much more than a pedagogical shift away from choice-based rhetoric and would include, among other things, a trauma-informed lens, discussions on intersecting oppressions and identities, and shame-free conversations about sex and pregnancy. Organizations centered on youth sex education such as Advocates for Youth, Answer, and SIECUS incorporate a RJ paradigm into their education standards and curriculum. These organizations offer trainings and guidelines for schools, but they do not necessarily inform state policy. In the past several years as RJ has grown as an emerging academic field, scholars have explored the ways in which RJ can serve as an alternative to the damaging pregnancy planning paradigm (SmithBattle and Flick, 2024) still present in many schools’ curriculums, and offer specific education policy recommendations explicitly rooted in RJ (Moss, Bond and Diallo, 2023), such as establishing universal prekindergarten nationwide.

I recognize that my critiques of school choice policies may come across as overwhelming. It is important to note, though, that just as an RJ critique of choice rejects individuality in favor of human rights, I also hinge my critiques not on the individual choices of people who participate in choice-based schooling options, but rather, the totality of rhetoric that forms the system of choice-based policies. My parents chose to send me to a private religious school from 1<sup>st</sup>-8<sup>th</sup> grade. UW-Milwaukee is the first public institution I have attended since kindergarten. I have also taught in four different charter schools across three different states over

the course of six years. I have friends here in Wisconsin who use vouchers to send their children to private schools. We are all trying to survive, labor, and learn within overwhelming oppressive and exploitative systems predicated on power. One person's or family's decision not to participate in options outside of public education will not change the system. In fact, that type of choice may be fraught with its own issues, such as a savior-complex, that contradict the values of RJ. My hope is that the case studies that follow provide readers with optimism and a framework for ways in which communities, collectively, can untether from choice-based rhetoric and co-create policies, even if on a small scale, that help build towards "safe and sustainable communities."

### **Embodied Rhetoric and Rhetorical Ecologies**

Analyzing choice-based education policies through a rhetorical ecologies theoretical framework further supports a RJ critique of choice rhetoric because the theoretical perspective underscores just how intertwined one person's choices are to another's. In her seminal text, "Unframing Models of Public Distribution: From Rhetorical Situation to Rhetorical Ecologies," Jenny Edbauer Rice destabilizes the "discrete borders" (5) of the elements of the traditional rhetorical situation in public rhetorics. She offers a different framework in which she considers the elements as "affective ecologies that recontextualizes rhetorics in their temporal, historical, and lived fluxes" (9). From this perspective, each element—the rhetor, exigence, purpose, audience, context, time, medium, and genre—is interconnected and indistinguishable from one another. Rather than compartmentalizing rhetoric into elements, or even relying on classical notions of a stationary *situs*, rhetoric in an ecology is verbed: "distributed across a range of processes and encounters" (13), and part of an open, evolving network. These networks are

“fluid” (19) and “bleed” (9) into one another.

RJ is also not static. In their coauthored book, *Reproductive Justice: An Introduction*, Rickie Solinger and cofounder of SisterSong, Loretta Ross, argue that a shift from “individual framing to political organizing” offers “a new vision for political engagement” (114). RJ is not merely a framework an individual woman can try to use to justify the rights to her own body, but instead a movement that necessitates active political organizing.

From a rhetorical ecologies perspective, choice-based education policies are always in flux, and not only because choice-based laws beget one another. The choice of one family in a school district affects the educational experiences of other students. The family that chooses to send their child to a private Catholic school through a state voucher redirects public funds away from a neighborhood public school and to a religious institution. This choice impacts the demographic and economic makeup of the neighborhood public school that no longer provides educational services to this student, and the impact of this choice bleeds into the daily experiences of students in that school. Milwaukee historian and journalist Barbara Miner describes school choice as a “fluid concept” (176) in which “one chooses with little regard for how one’s decision might impact others” (173). The rhetorical refrain of “choice” bleeds, too, into other laws and policies regarding public education in the state of Wisconsin.

In order for children to live in “safe and sustainable communities,” they need to know how to safely interact with one another. Statute 118.019 also emphasizes safe interactions between individuals in section (2)(f) which states that an HGD should include “Information about avoiding stereotyping and bullying, including how to refrain from making inappropriate remarks, avoiding engaging in inappropriate physical or sexual behaviors, and how to recognize,

rebuff, and report any unwanted or inappropriate remarks or physical or sexual behaviors.”

Student learning influences students’ interactions with one another. HGD instruction, much like Statute 118.019, does not operate within a closed system of a rhetorical situation. Like any subject, it shapes the way students interact with the world. The experience of the student receiving the HGD curriculum also remains in flux and is influenced by the choices of the parents of their peers. The choices parents make for their children do not exist in a silo—they have ripple effects on other students. If parents were able to choose to opt their student out of math lessons, that choice would likely later impact that student who interacts with a peer in their chemistry class. The second student may have to take it upon themselves to teach the other student the necessary math to do their chemistry work, and there would likely be tension between the two students as a result of the different knowledge levels. In a similar manner, if one high school senior receives an HGD lesson on safe relationships while their boyfriend’s parents choose to opt their son out of that same lesson, the implications of that choice might emerge in interactions between the couple.

Rhetorical networks are messy. In this project, I have already traced two larger threads—the history of sex education and school choice in Wisconsin—that contribute to public rhetoric around HGD curriculum in Wisconsin school board meetings. There are other threads within this network, but it would be impossible for me to know and trace them all. Instead, I will focus on the embodied rhetoric of students. This project seeks to spotlight how embodied rhetoric fits into the rhetorical ecologies of public rhetoric around HGD curriculum.

Abby Knoblauch defines embodied rhetoric as “the purposeful effort by an author to represent aspects of embodiment within the text he or she is shaping” (58). This effort requires

“gestures” that call “to the surface at least some of the associations that [our] thinking passes through, associations evoked by [our] gender, race class, sexual orientation, politics, and so on” (Hindman, 104). For Knoblauch, embodiment “as it relates to knowledge production” (50) also includes embodied knowledge and embodied language. While my analysis focuses on embodied rhetoric, Knoblauch’s framing of embodiment reminds us that it is ecological, and that the different categories “bleed into each other” (50).

Bodies are not only at the center of Statute 118.019, but they shape the law itself. Unlike its curricular counterparts, HGD curriculum, according to the law, explicitly focuses on “maintaining the physical and psychological health of each pupil.” Johnson, et al. (2015) argue that bodies carry both rhetorical and signifying power, and the bodies we privilege in disciplinary work—and I argue, in discussions of sex education—“presume one normative body (white, male, heterosexual, middle-class, abled) that is neither labeled “cultural” nor “signifier,” or to recognize an “other” body, which is both” (40). For this reason, in this project, I pay particular attention to the embodied rhetoric of students that are presumed not “normative” or otherized in discussions of sex education—namely queer, trans, and students of color. Not only are mentions of these bodies excluded from the Statute itself, but unfortunately, they are too often platformed by others in an attempt to attack their signifying power and fetishize them. Thus, careful attention to the embodied rhetoric of bodies outside of the normative frame is necessary when considering the rhetorical ecologies of public rhetoric.

At one point during my work on this project, I considered opting instead for an explicitly queer theoretical framework. Queer identities are at the center of the controversy of the HGD curriculum in the Wauwatosa School District, and one student speaker explicitly identifies as

transgender. A future iteration of this project might consider how students' public rhetoric in opposition to their district's HGD curriculum resonates with queer theories on unruliness (Green, 2021; McRuer, 2003) in moments of resistance. My hesitancy with adopting this approach, though, is that this project as it stands now does not include qualitative research, and I feel uncomfortable making assumptions about queerness, even within the context of embodied rhetoric, as it relates to student speakers, many of whom were minors and did not publicly identify as being part of the LGBTQ+ community at the time of these meetings. Queerness, as both an embodied identity marker and action (Manthey, Novotny, and Cox, et al.), nevertheless, exists within this ecology.

Wisconsin students demonstrate rhetorical agency through their embodied rhetoric at school board meetings by attending and speaking about the changes they would like to see in their HGD curriculum, outside of what is required by Statute 118.019. I chose to focus specifically on the embodied rhetoric of students within these public contexts for three reasons: (1) it re-centers the bodies of students, which are the subject of HGD curriculum, in the midst of an abundance of rhetoric coming from bodies that are not centered within the curriculum but have more power in determining the content and distribution of the curriculum; (2) embodiment is inherent within the RJ movement as the "human right to maintain bodily autonomy"; and (3) Edbauer emphasizes that the "embodied experiences" contribute to a rhetorical ecology. Edbauer states that "writing is distributed across a range of processes and encounters: the event of using a keyboard, the encounter of a writing body within a space of dis/comfort, the events of writing in an apathetic/energetic/distant/close group" (13). Similar to this analogy on writing, student

rhetors are not disembodied mouthpieces voicing concerns around HGD curriculum. Their bodies matter in these moments and the way in which they use their body, which contributes to their embodied rhetoric, provides a further depth of meaning for viewers.

### **Case Studies: Madison Metropolitan School District and Wauwatosa School District**

The case studies for my research include two school districts in Wisconsin: Madison Metropolitan School District (MMSD) and Wauwatosa School District (WSD). My rationale for choosing these districts as case studies are that they have both undergone public review and re-implementation of their district's HGD curriculum in the past five years. When legislators changed Statute 118.019 by repealing the Healthy Youth Act, they also eliminated the provision of the statute that requires districts to undergo a review process of the district's HGD curriculum every three years. This means that districts that elect to teach HGD to students may have a curriculum that is over a decade old. It is not unlikely that Wisconsin school districts are hesitant to review their policies around HGD given the scrutiny they will face from families, students, and the media.

MMSD and WSD vary in terms of size, geography, and demographic of students served. MMSD is the second largest school district in the state and serves over 25,000 students at 52 schools. 60% of students in the district are students of color, 27% of students are English Language Learners, and approximately 36% of its students are considered low-income.<sup>8</sup> WSD, on the other hand, serves a much smaller suburban community of 7,010 students across 16

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<sup>8</sup> "About." *Madison Metropolitan School District*, [www.madison.k12.wi.us/about](http://www.madison.k12.wi.us/about). Accessed 27 July 2024.

schools. 35.4% of students in the district are students of color, about 25% are considered low-income, and 3% are classified as English Language Learners.<sup>9</sup> These are only a few differences that influence the day-to-day experiences of students in each of these districts, as well as the larger decisions that take place at the school board level regarding student instruction, including with regards to HGD curriculum.

For this analysis, I relied on publicly available recordings of school board meetings through BoardDocs. The students who provided public comments during the meetings did so knowing that their name, face, and in some cases address, would be available for public consumption. Some of the students, though, were minors at the time of the recording, and several students disclosed information that may be sensitive and compromise their safety. With this in mind, my analysis will refer to student speakers at MMSD school board meetings by numbers (Student #1, Student #2, Student #3, Student #4) and student speakers at WSD school board meetings by letters (Student A).

#### *Madison Metropolitan School District*

On April 29, 2019, three newly elected Madison Metropolitan School District (MMSD) school board members took their oath of office. Their second agenda item and first official, collective statement as board members was a declaration of “steadfast support” for working with students, teachers, and families to strengthen sex education in the wake of the arrest of two male students at Madison’s East High School for allegedly raping a female student in the bathroom. Newly elected member Ali Janae Muldrow read the statement which concluded with a request

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<sup>9</sup> “Wauwatosa School District.” *District Profile | Wauwatosa School District*, [www.wauwatosa.k12.wi.us/page/district-profile](http://www.wauwatosa.k12.wi.us/page/district-profile). Accessed 27 July 2024.

for community members to “join us in building schools that embody the values of a safe, just, and welcoming community.” A round of applause from community members, including students, followed. The bodies gesture at a sense of collective agreement, which sets the tone for the speeches that follow.

Four students registered to speak about the incident during the public appearance portion of the meeting, and one non-identified community member submitted a written registration. The public appearance registration forms have a space for the public to fill out the subject matter for which they want to speak on, and indicate whether they “Support” or “Oppose” that subject matter. There is a comment box below where community members can further elaborate on their positions.

Each of the four student registrants wrote “district policy on sexual assault and harassment” in the subject line and checked “Oppose” down below. These public appearance registration forms indicate that the students, collectively, stand in opposition to their current district policy on sexual assault and harassment. As the students got up to make their public appearance, each of them mentioned student education as an important piece of the strategy to preventing sexual assault incidents from occurring amongst students. While none of them specifically named this type of education as HGD curriculum, they did refer to it as “further education,” “comprehensive curriculum,” and “education on sexual harassment and assaults.” In doing so, they situated themselves as stakeholders in the HGD curriculum.

At this point in time, schools in MMSD had been teaching some version of an HGD curriculum, the exact contents of which are not publicly available. MMSD’s Board of Education had also approved a list of members for the HGD advisory committee as authorized under

118.019 (5). This list included nine staff members from various MMSD schools, two clergy representatives, two health care professionals, one community health coordinator, four parents, and eight students from five different high schools. The council met three times between May-June 2018.

Student #1 identified herself as the President of the Teal Ribbon Club at her Madison high school's campus. She spoke of the importance of "earlier education about rape and in a more thorough way." Student #1 also spoke of the importance of building into the curriculum information about how sexual assault and rape victims can get help at school. Student #1 interacted with the curriculum in a personal way: she spoke of her knowledge of the fact that students in the younger grades do not receive education about rape, and she spoke knowing that this curriculum is susceptible to change. Furthermore, she called for the district to work alongside Madison's Rape Crisis Center to enhance student and staff education with regards to sexual assault and rape.

Student #2 brought her experiences to the podium with her as well. She recalled the times she had heard catcalling in the halls, and how male students have used the tautology "boys will be boys" to justify assault. She added that teachers should educate students on how to file a Title IX complaint. She conceded that this addition to the curriculum puts the district in a precarious position because too many complaints could put the "district's federal funding at risk." Here, Student #2 interacted with two legal texts: Wisconsin statute 118.019 and Title IX.

Student #3 spoke about the importance of believing survivors who come forward. She also stated that "comprehensive curriculum should be required for all middle and high school students to learn about rape culture and consent." Student #3's reference to "comprehensive

curriculum” should include, according to her, conversations about “rape culture.” Currently under 118.019 (2m)(h), districts, when they elect to teach HGD curriculum, are supposed to provide age-appropriate instruction of the “sex offender registration requirements.” Sex offender registration would include some discussion of rape, but would likely not include discussion of how most incidents of rape do not lead to criminal prosecution that results in sex offender registry. It certainly does not include discussions of “rape culture” or “rape jokes.” Student #3 spoke about how she hears these jokes and believes they contribute to rape culture. In doing so, Student #3 reminded the audience of the embodied implications of discourse. Student #3 recognized the limitations of Wisconsin schools’ HGD curriculum and pushed against them.

For each of these students, the choice inherent in Statute 118.019 is problematic. HGD curriculum, as it exists, still does not meet the “comprehensive” standard. While they do not say that students or parents should not be able to opt-out of the curriculum, their rhetoric is clearly all-encompassing. Student #3 emphasized that “all middle and high school students” should learn about rape culture. Student #4 looked at the board members and said that it was their responsibility “to keep all students safe.” While these student speakers do not explicitly call for an RJ reorientation of the curriculum, their demands align with RJ values that are community-based and assert all members of a community must be considered when making policy change.

Each of the student speakers also used rhetoric that “engage[s] with the living” (Edbauer, 20) – they drew from their own interactions with sex education, secrets they’ve passed between trusted peers, tautologies they’ve heard from students in the hall – and thus, the ecology of their rhetoric included the “concatenation” (6) of these multiple, interacting elements. The students were clear: sexual health extends beyond the bounds of the classroom, and education regarding

lived, embodied experiences of sexual health should reflect back into the classroom.

The presence of each of these students' bodies as they stood up to speak one after another, consecutively, indicates that they have formed community around this issue. Their embodied rhetoric suggests this as well. Each of them brought prepared remarks to the podium with them and largely read from them. Their shared remarks were different but complemented one another. One might imagine they had gathered prior to the meeting and wrote them together.

On November 4, 2019, about six months after the April 29<sup>th</sup> school board meeting, MMSD's HGD advisory committee presented their curriculum update to the board in an instructional work group. The three primary outcomes from this group included a HGD statement, HGD curriculum recommendations, and priority actions for implementation. The group's position statement rhetorically reflects the call for community from the student speakers at the earlier meeting by focusing on "all students," not just those who choose to participate in the curriculum. The position statement includes language such as "all students...to reach their full potential as healthy and safe individuals" and "promote and obtain optimal mental, emotional, social, and physical health and well-being for all students."

The priority actions the HGD advisory committee proposed require a "4K-12 sequential learning progression that provides teachers guidance on learning outcomes" and "partner[ing] with RCC (Rape Crisis Center) and DAIS (Domestic Abuse Intervention Services) as guest speakers in class and PD for teachers." These specific requests were made by the students who spoke at the April school board meeting and by incorporating the requests, the council "legitimated" (Edbauer, 17) the concerns of the four student speakers in a way that reflected their refusal of the choice-based rhetoric of Statute 118.019 and embraced student voice in curriculum,

resources, and support.

The language used in the public rhetoric of four students at a board meeting clearly bled into the language used in the curriculum updates from the HGD advisory committee. The interactions between rhetoric, law, students' experiences and embodied rhetoric emerged in such a way that the public-facing presentation of this issue seemed to be a consensus in support of updating and expanding the curriculum. The new update to the curriculum may seem to reveal to the public the possibilities for co-creation to create meaning, but the circulation of other embodied rhetoric in the ecology tells a different story.

While the embodied rhetoric of four seemingly white women at one MMSD school board meeting may influence school policy, these rhetors hold privileges within their own identities that impact the rhetorical ecology in which they exist and contribute to. In comparison, for several years, students of color had attended MMSD to discuss their opposition to MMSD's contract with the Madison Police Department for Student Resource Officers (SROs) in schools. Although students did not explicitly reference a need to change HGD curriculum in their opposition to SROs, many students framed the SRO contract as a public health issue for students of color. They invoked their own embodied rhetoric by describing feeling unsafe in their non-white bodies at school around police officers who have historically and disproportionately inflicted violence against people of color. Their physical presence in the MMSD school board meeting space, in conjunction with speaking about their lived experiences and realities of people of color, involved a level of risk that the four student speakers on HGD curriculum did not face. The embodied rhetoric of the school board members at the front of the room—often looking down, providing no opening remarks for them that elicited warm applause from the room—

bleeds into and reaffirms their risk.

Even at the April 29th school board meeting, nine stakeholders spoke in opposition of SROs in MMSD schools. The speakers did not clearly indicate whether or not all of them were students. These same stakeholders also comprised the majority of public appearance registrants at each MMSD open school board meeting for years. They continued to decry the presence of SROs as endangering the health and safety of youth of color in those schools, and no action was taken by the board. RJ is about “access, not choice” (SisterSong). A RJ critique plays an important role in revealing that the four student speakers’ earlier success around policy changes with regards to their safety cannot fully be realized because their peers do not have access to that same safety.

SROs remained in MMSD schools until June 2020, when the board elected not to renew MMSD’s contract with the Madison Police Department after the murder of George Floyd at the hands of police officers. In this instance, a horrific, but sadly not uncommon event entered into the ecology of these school board meetings. MMSD school board members’ inaction on this issue revealed that the embodied rhetoric of the students of color in their community was not enough to create meaningful change, but the deceased body of a Black man from another community was. True RJ does not happen at the expense of someone else’s safety and complete loss of bodily autonomy. An RJ critique of the actions of the school board uncovers that the seeming triumph over the changes in HGD curriculum during the April meeting are undercut by the capricious nature of the safety of the students of color at MMSD schools, whose lives are in flux with white students, because communities are not “sustainable” (SisterSong) when oppressed members of the community are not safe.

When we take seriously the embodied rhetoric of marginalized rhetors in a community, all members of the community benefit. Since MMSD ended the contract with Madison police for placing SROs in MMSD schools, the total number of calls to the police from MMSD schools has decreased significantly.<sup>10</sup> The current plan remains in flux, though, as Madison Police Chief Shon Barnes continues to advocate for the reestablishment of the contract, and candidates vying for vacant school board seats incorporate reinstating the contract as part of their platform.<sup>11</sup>

The immense public rhetoric around SROs recontextualizes the rhetoric concerning HGD curriculum in MMSD schools in their “temporal, historical, and lived fluxes” (Edbauer, 6), and allows the public to consider the power hierarchies of the various stakeholders. The four white, female student stakeholders who spoke at one meeting on April 29, 2019, seem to hold more power in their embodied rhetoric than the hundreds of students of color who came to speak at board meetings over several years. The HGD curriculum, too, would change as a result of the change in the contract with SROs. Were SROs involved in the sexual assault or rape reporting process? Do students feel more or less safe from sexual assault without a police presence in their building? When the curriculum requires students to think about safe adults to talk to, are SROs listed as an option? These questions underscore the “flux” that the curriculum remains in, even after board meetings and the council have convened.

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<sup>10</sup> Wadas, Elizabeth. “Police Calls to MMSD High Schools down since the Removal of School Resource Officers.” *Https://Www.Wmtv15news.Com*, 11 Jan. 2024, [www.wmtv15news.com/2024/01/11/police-calls-mmsd-high-schools-down-since-removal-school-resource-officers/](https://www.wmtv15news.com/2024/01/11/police-calls-mmsd-high-schools-down-since-removal-school-resource-officers/).

<sup>11</sup> Brogan, Dylan. “Meet the 2022 Madison School Board Candidates.” *Isthmus*, 29 Mar. 2022, [isthmus.com/news/news/meet-the-madison-school-board-candidates/](https://www.isthmus.com/news/news/meet-the-madison-school-board-candidates/).

*Wauwatosa School District*

WSD school board meetings operate slightly different than MMSD meetings. There are no public appearance registration forms that stakeholders fill out or written registration forms. The board also differentiates between “public comment on agenda items” and “public comment on non-agenda items.” The board limits the time allotted for public comments available for each agenda item.

On August 22, 2022, hundreds of stakeholders lined outside the Fisher Communication Building or joined online for the regularly held Wauwatosa school board meeting to provide public comment on the first agenda item—the approval of a revised HGD curriculum. Board members sat at desks arranged in a half circle at the front of the meeting room, and four adult members of the HGD advisory committee sat at a small table facing the board members, with their backs towards the community audience.

Before entering into the 30-minute public comment portion of the agenda, board member Jenny Hoag stated that she would “really appreciate if [students] were given an opportunity to speak first” about the curriculum. Another school board member, Mike Meier, responded by saying, “There’s this notion of parents and taxpayers, and students aren’t directly taxpayers and students aren’t directly parents,” and that he would like to see proportionality in speaking time among the different groups. Meier’s comment underscores both the need for comprehensive sex education in the district that recognizes the existence of parenting students, and the privileging of different bodies in the space.

The first speaker for public comment at the meeting was Student A, a 15-year-old transgender boy who dressed up for the meeting in a tie and dress pants. The conference room

was packed to the brim, so he likely had to arrive to the building hours in advance, probably right after school, to secure a first speaker position. He began by stating that he is just like any other student in WSD. He referenced his body throughout his story as he shared details about his social transition while attending schools in the district, and that not knowing he could be anything other than cisgender “caused so much pain.” Listeners in the room could hear the pain in his voice as he recounted this. His embodied rhetoric indicated he felt uneasy, likely in response to the avoidant eyes and crossed arms of adults just inches away from him. He shared this story while moving the microphone nervously and reading from his notes. He continued to describe his own bodily pain to advocate for the importance of the school district having an inclusive HGD curriculum. He said that this type of curriculum is necessary to ensure student “safety” and “safe homes.” After he finished speaking, he sat on the floor in front of an empty row of chairs with his peers.

Student A’s story embodies an RJ critique of choice-based rhetoric and offers the alternative of reframing conversations around HGD from a struggle between the various choice-holders in the room, to a beautiful opportunity for students to experience self-realization. His story was also purposefully community-oriented. He shared his experience of pain as a means of advocating for the safety of his community of peers. His story is also a difficult reminder that all too often, marginalized individuals employ embodied rhetoric that involves their own bodily trauma stemming from that marginalization.

Later in the public comment portion, an older, white man approached the microphone to speak. He stated that he lives and has a medical practice in Milwaukee, but has grandchildren in WSD. In his comment, he described the dangers of pushing a “gender ideology” onto young

students, and the negative ways he believes it impacts their mental health. The embodied rhetoric invoked by this man spoke to bodies that were not his, and bodies that he may have no relation to. At various moments, Student A, just inches away from his feet, looked up at him, bewildered. At times, the student pointed to himself and mouthed, “Me?” As though the man was speaking about him, but not to him. When the man finished speaking, he sat in an open seat directly behind Student A, and Student A repositioned his body to give the man room to move into his chair. Student A tried turning around to look at the man who had just spoken, but the man looked down and avoided his gaze. Student A then looked around at his peers, put both hands over his heart, and repositioned his tie.

Not only did Student A use language to provide RJ-aligned alternatives to choice orientations of the HGD curriculum, but his embodied rhetoric, along with his fellow peers’, offers profound meaning as well. The positioning of the students on the floor is purposeful. One might argue that it denotes the power imbalance in the room between student and adult community members. One might also just assume that the students were told prior to the recording of the meeting that they must sit on the floor. These are not impossibilities. What I see, though, is a decision made by the younger bodies in the tightly-packed room to forego chairs so that older bodies, once they are done sharing their input on the curriculum concerning younger bodies, can then sit in them. Student Speaker A’s repositioning of his own body so as to give the gentleman from Milwaukee space reinforces this theory. In doing so, the students in the room affirm the safety of other community members.

The many, intersecting ecologies in the packed conference room seem to collide with one another. The embodied rhetoric of the room, though, indicates otherwise. The students in the

room, and notably Student A, exhibit an embodied rhetoric that actively engages with the embodied rhetoric of others in the room, even the bodies most adverse to his own. In doing so, we see a true pedagogy that values human growth and development emerge in real-time: one that involves all members of a diverse community, is attuned to and concerned about bodily safety and autonomy, and is more closely aligned with the liberatory principles of RJ than Statute 118.019 has ever been in any of its versions.

### **Lessons and Further Considerations**

This project has taken several shapes over the past two years. The largest change in this project has been a shift away from counterpublic efforts and towards an RJ critique of choice-based educational policies. This last year, I planned to do qualitative research for this project. My IRB was approved for me to hold informal interviews with recent alumni of MMSD who participated in counterpublic efforts in their school around their sex education curriculum, namely, efforts to offer sex education outside of the scope of Statute 118.019. I knew these counterpublic efforts existed based on research, conversations with community groups, and media attention towards these efforts. I was not successfully able to recruit any participants for this study. I think that there are several potential reasons for this, each of which likely intersect.

The primary reason I believe I could not successfully recruit participants is that I tried to create meaningful connections with community members in too short of an amount of time. The fact that I was a current secondary teacher and had formerly taught sex education was not enough for me to immediately build trust with community members to discuss potentially sensitive topics. I was not *there* in the ways that Caroline Druschke and Candice Rai describe as an important ethical method to field research in their Introduction in *Field Rhetoric: Ethnography*,

*Ecology, and Engagement in the Places of Persuasion*. My participant pool was quite narrow (students who had graduated from an MMSD school in the past five years), and it is not unlikely that potential participants in this pool no longer lived in the community and were difficult to connect with. I did make multiple connections with potential participants, but when discussing plans to connect for an interview over email, on multiple occasions I did not receive a response. The academic calendar and their potential roles as young professionals in the workforce may have contributed to this.

I think about my former students from when I taught middle school in California and how I have remained in touch with some of them over the years. My earliest groups of students have reached out to me after high school graduation and have asked for assistance writing college applications, provided life updates, or continued to bemoan how much reading I assigned for them back in 8<sup>th</sup> grade. My relationships to some of my former students are enduring because I was *there*, physically, even if I was not a particularly effective teacher in my first couple of years, and have continued to be *there* in ways that maintain trust.

When I let go of the prospect of qualitative research for the project in its current form, I also let go of positioning students in the case studies as a counterpublic. After reading Robert Asen and Daniel Brouwer's *Counterpublics of the State*, I felt as though I could not honestly describe the counterpublic students formed in response to MMSD's HGD curriculum without speculation because I lacked a strong enough scope of the ecology of their opposition. This understanding could only come through listening to them share their own stories, which are not publicly available online like their short, public remarks at school board meetings. Those remarks did not seem sufficient to constitute a counterpublic on their own. Putting aside an

exploration of students' counterpublic efforts felt disorienting at first because my fascination with what little I did know about these efforts were largely the impetus for the project. This decision, though, enabled me to more fully flesh out an RJ critique of school choice that I had only briefly touched on in earlier renditions of this project. I also felt more comfortable ethically embedding this critique within my analysis, rather than just hoping it surfaced in conversations with participants.

My goal for this project in its current form is three-fold: (1) that it reiterates fundamental principles and practices of Reproductive Justice which includes a sex education that reflects the diversity of communities and rejects choice rhetoric; (2) it encourages people to take seriously both the words students use to describe their sex education curriculum, as well as their embodied rhetoric in public spaces, and (3) it spurs thinking of other ways in which a Reproductive Justice framework can critique existing laws and policies, including legal texts themselves, and offer more sustainable alternatives for communities.

Although this project was written mainly with an academic audience in mind, my hope is that goal (2) could translate to community engagement, specifically in Wisconsin. In January 2024, legislators in the Wisconsin Assembly proposed AB 1107, which would reinstate the Healthy Youth Act and require that school districts provide "evidence-based" HGD instruction. The bill did not pass during the 2024 legislative session, but the new legislative maps in place for the November 2024 Wisconsin election provide an opportunity for voters to replace Legislators who had previously been instrumental in the repeal of the Healthy Youth Act in 2011, such as State Senator Ducey Stroebel. While the advocacy for this Act will take place in different spaces outside of school board meetings, stakeholders can still learn from the embodied rhetoric of

youth as they discuss potential changes to state law and their curriculum. Although SisterSong directly calls for more comprehensive sex education, with regards to point (3), I hope that readers of this project find connections between other issues in their community that prevent their community from being “safe and sustainable” and Reproductive Justice. For example, just here in Wisconsin, rural communities across the state experience high levels of dangerous chemicals called PFAs in their water source and major hospital closures. These are issues of Reproductive Justice because parents cannot parent in a safe and sustainable community if their children’s health is compromised by the water they’re drinking and bathing in, and if they have to drive hours away to go to the nearest hospital.

One of my favorite parts about this project is the possibilities for different forms it could take in the future. I envision being able to return to the pursuit of qualitative research within the context of a clear long-term commitment to an education community. This includes, but is not limited to, teaching or working with teachers in a community, and tracking a variety of issues being discussed in school board meetings in that community outside of sex education curriculum to better understand the district’s ecology. From there, a goal further down the road would be working with students to develop a blueprint for other students on creating and maintaining a counterpublic around HGD curriculum. This might look like highlighting ways in which students in Wisconsin have worked outside of the confines of Statute 118.019 to educate one another and respond to a curriculum they find lacking. Outside of qualitative research and student-led pedagogy, I think that a project like this, where a legal text looms large within the ecology, could contribute to efforts to more clearly situate both legal rhetoric and RJ as sub-fields within rhetorical studies.

## **Conclusion**

I began this project by sharing a story that undergirds so many aspects of my life, including the project itself. For a long time, I prided myself on my emotional distance from the topic of sex education, which is not only deeply personal as it relates to my own story but also, more generally, a sensitive topic that might elicit an embodied response. At first, this was not my experience. For example, I remember in November 2022 listening to several hours of emotional testimonies from students in the Wauwatosa School District while visiting my parents during fall break in Orange County, and after I took my headphones out, I immediately turned around and had a normal conversation with my mom over dinner—my embodied knowledge did not indicate any noticeably different emotional or physical response.

The rhetorical ecology of my own life, though, evolved over the course of two years in a way that brought forth noticeable, heightened emotions to the project. For a while, I continued to engage with the topic while trying to avoid these emotions, but the disconnect made my writing seem obviously disingenuous. The silences of the potential participants I wanted to speak to in a study abetted my own silences. I learned from the students I listened to, though, and wrestled with what a practice of care might look like in my own life and writing. I spoke about academic refusal as both embodied knowledge and care at Madison's RSA Spring Symposium, and how this is a complicated topic for academics who have been conditioned to think of refusal as laziness. I concluded that I think that academic refusal is an act worthy of further exploration. Additionally, like the students I listened to at school board meetings, I eventually leaned on community rather than trying to triumph with some fraught sense of individual resilience. I leave

this project, at least for the time being, grateful to my committee members who have been a part of that community, and proud of the ways in which the project has bled into my own life, and the ecology of my life reflects back in it.

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