

The board of trustees recognizes that every person has a natural right to privacy and safety in restrooms and changing facilities where such person might be in a partial or full state of undress in the presence of others. This natural right to privacy especially applies to students using school restrooms and changing facilities where student privacy and safety is essential to providing a safe learning environment for all students. This policy is adopted consistent with Idaho law to provide students, staff, visitors, and patrons with guidelines as to the use of school changing facilities, as defined herein.

DEFINITIONS

The following terms apply to this policy.

“Changing facility” means a facility in which a person may be in a state of undress in the presence of others, including a locker room, changing room, shower room or restroom.

“Sex” means the immutable biological and physiological characteristics, specifically the chromosomes and internal and external reproductive anatomy, genetically determined at conception and generally recognizable at birth, that define an individual as male or female.

CHANGING FACILITY REQUIREMENTS

Every school changing facility, as defined herein, accessible by multiple persons at the same time will be designated for use by male persons only or female persons only and used by only members of that sex, unless an exception as set forth in this policy applies. No person shall enter a multi-occupancy changing facility that is designated for one sex unless such person is a member of that sex. The building principal or designee is responsible for ensuring that all changing facilities provide its users with privacy from members of the opposite sex.

In any other school setting where a person may be in a state of undress in the presence of others, school personnel must provide separate and private areas designated for use by persons based on their sex, and no person may enter such private areas unless the person is a member of the designated sex.

During any school authorized activity or event where persons share overnight lodging, school personnel will provide separate sleeping quarters for members of each sex. No students, staff, chaperones or other persons participating in the overnight activity shall share sleeping quarters with persons of opposite sex, unless the persons are members of the same family.

EXCEPTIONS

This policy does not apply to any of the following:

1. Single-occupancy changing facilities or changing facilities that are conspicuously designated for unisex or family use.
2. Changing facilities that have been temporarily designated for use by that person’s biological sex, i.e. women’s locker used by visiting team as a men’s locker room.

3. A person of one sex who uses a single-sex facility designated for the opposite sex, if such single-sex facility is the only facility reasonably available at the time of the person’s use of the facility.
4. A person employed to clean, maintain or inspect a single-sex changing facility.
5. A person who enters the changing facility to render medical assistance.
6. A person who is in need of assistance and, for the purposes of receiving that assistance, is accompanied by a family member, a legal guardian or the person’s designee who is a member of the designated sex for the single-sex changing facility.
7. Coaching staff and personnel during athletic events.
8. During an ongoing natural disaster or emergency, or when necessary to prevent a serious threat to good order or student safety.

REASONABLE ACCOMMODATIONS

Schools within the district will provide a reasonable accommodation to a student who, for any reason, is unwilling or unable to use a multi-occupancy changing facility designated for the person’s sex and located within a school building, or multi-occupancy sleeping quarters while attending a school-sponsored activity. Such request must be made in writing to the building principal or designee. Consistent with Idaho law, a reasonable accommodation does not include access to a changing facility or sleeping quarters that is designated for use by members of the opposite sex while persons of the opposite sex are present or could be present.



LEGAL REFERENCE:

Idaho Code Sections

33-512 – Governance of Schools

S1100 (2023, ch. 120, Session Laws) – Protecting the Privacy and Safety of Students in Public Schools

ADOPTED: September 12, 2023

AMENDED: