

# **Restroom Policy**

## **DRAFT**

### **MSBA COMMENTS:**

**This custom policy was requested by a member of the Platte County R-III School Board.**

**EDITOR'S NOTE: This policy should undergo legal review by an attorney prior to adoption by the board. Title IX regulations have recently changed, and these changes could profoundly impact the language in this policy.**

### **Definitions**

*Biological Sex* – The physical condition of being male or female, as stated on a student’s original birth certificate or other documentation of birth.

*Multiple Occupancy Restroom or Changing Area* – Any room or area designated for use by more than one individual student at a time, where students may be in various stages of undress in the presence of other students or individuals. The term may include, but is not limited to, a school restroom, locker room, changing room, or shower room.

*Reasonable Accommodation* – Reasonable accommodation includes the use of a single occupancy restroom or changing area, accommodation determined as part of Section 504 or IEP requirement, or any other reasonable accommodation as required by law.

*Single Occupancy Restroom or Changing Area* – Any room or area designated for use by only one person, having only one toilet and a locking door, or any room or area designated to be used by one student at a time, where a student may be in various stages of undress. The term may include, but is not limited to, a single use restroom, single use changing room, or single use restroom with a shower.

### **District Policy**

Students can only use the designated multiple occupancy restroom or changing area of their biological sex, as defined in this policy. Nothing in this policy prohibits a student from using a single occupancy restroom or changing area.

This policy does not apply to any person entering a multiple occupancy restroom or changing area designated for use by the opposite sex when entering in any of the following circumstances:

- (1) For custodial purposes.
- (2) For maintenance and inspection purposes.
- (3) To render medical assistance.

- (4) To accompany a student needing assistance when the assisting individual is an employee of the school district that is approved to accompany the student or is the parent or authorized caregiver of the student.

**Reasonable Accommodation**

Parents, guardians, and eligible students may request reasonable accommodation.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| <b>Federal References</b> | <b>Description</b>  |
|---------------------------|---|
| 20 U.S.C. § 1232g         | <a href="#"><u>Family Educational Rights and Privacy Act</u></a>  |
| 20 U.S.C. § 1400-1417     | <a href="#"><u>Individuals with Disabilities Education Act</u></a>  |
| 20 U.S.C. § 1681          | <a href="#"><u>Title IX of the Educational Amendments of 1972</u></a>   |
| 29 U.S.C. § 794           | <a href="#"><u>Section 504 of the Rehabilitation Act of 1973</u></a>  |
| 42 U.S.C. §§ 12101-12213  | <a href="#"><u>Americans with Disabilities Act</u></a>  |
| <b>Cross References</b>   | <b>Description</b>  |
| IGD                       | <a href="#"><u>District-Sponsored Extracurricular Activities and Groups</u></a>   |
| IGD-AP(1)                 | <a href="#"><u>District-Sponsored Extracurricular Activities and Groups</u></a>   |
| IGD-AP(2)                 | <a href="#"><u>District-Sponsored Extracurricular Activities and Groups</u></a>   |
| IGD-AP(3)                 | <a href="#"><u>District-Sponsored Extracurricular Activities and Groups -<br/>(Participation of Part-Time Students in MSHSAA-Governed Activities)</u></a> |
| IGD-AP(4)                 | <a href="#"><u>District-Sponsored Extracurricular Activities and Groups -<br/>(Guidelines for New Programs)</u></a>                                       |
| IGD-AP(5)                 | <a href="#"><u>District-Sponsored Extracurricular Activities and Groups -<br/>(Eligibility Standards for Athletics and Cheerleading)</u></a>              |
| JFCA                      | <a href="#"><u>Student Dress Code</u></a>   |
| JFCA-AP(1)                | <a href="#"><u>Student Dress Code</u></a>   |

**Cross References****Description**

JFCF

[Bullying](#)

JG

[Student Discipline](#)

JHD

[Student Counseling Program](#)

JO

[Student Records](#)

JO-1-AP(1)

[Student Records - \(K-12 Districts\)](#)

JO-1-AP(2)

[Student Records - \(Disclosure of Photographs, Images, Recordings Maintained by the District\)](#)