

STUDENTS

7:12 Use of Restroom Facilities and Other Gender Identity Considerations

The Board of Education maintains certain restroom facilities that have been designated single-sex facilities. Students maintain a legitimate expectation of privacy in these facilities. The Board of Education has a legitimate public interest in ensuring these facilities remain safe and private for all student use and, in furtherance of that interest, establish this policy.

1. The Board of Education directs the Superintendent to develop age-appropriate safety rules for the use of private facilities, which will be included in the student handbook.
2. The Board of Education presumes that students will use these private restroom facilities based upon their biological sex unless an individual student meets the following criteria:
 - a. The Student worked with a school social worker/counselor and a school administrator to develop a Gender Identity Plan, which identifies a restroom other than the restroom designated for the student's biological sex (this could be a gender neutral restroom or the restroom of the opposite biological sex);
 - b. The Student's parent(s) have agreed to the gender identity plan, if the student is under the age of 18; and
 - c. The Student has reviewed safety rules associated with the use of a bathroom and adheres to all safety rules.

Students are prohibited from using restrooms not associated with their biological sex unless given express permission. Students who enter restrooms without express permission, regardless of the students' gender identity, will be disciplined.

Any student who is uncomfortable using a single-sex facility, for whatever reason, may request access to gender neutral bathrooms. Gender neutral bathroom options will be identified following a meeting with the student and his or her parents.

ADMINISTRATIVE PROCEDURE, GENDER IDENTITY PLAN

To ensure the students are protected in our schools, and to ensure compliance with Board Policy 8:50 regarding parental participation in their child's educational planning, the following procedures will be followed by the School District in developing Gender Identity Plans for students who identify as transgender, gender non-conforming, or non-binary.

Students will be required to meet with a school social worker, a school administrator, and their parents when they request gender accommodations, including the use of preferred name and pronouns. The meeting will result in a Gender Identity Plan, which includes a set of agreements between the School, the Student and the Student's Parents related to their gender identity in school. The purpose of this plan is twofold. First, the plan will establish clear parameters for the student and the school with respect to the student's gender identity, in an effort to plan for and anticipate issues that may occur, like harassment and bullying. Second, the plan will ensure the student has the support in school necessary. Such support will be directed at creating a safe environment for the student. The process will include:

1. A lengthy discussion of all issues associated with a student's gender identity, including:
 - a. Parent involvement and communication
 - b. Student privacy

- c. Student safety and support
- d. Student names and pronouns
- e. Student records
- f. Use of restroom facilities
- g. Overnight trips
- h. Extracurricular activities
- i. Communication of the plan to staff and/or other students
- j. Review and revision of the plan.

From this discussion, the School District will develop a gender identity plan. The Student and Parent(s) will be expected to sign the plan and acknowledge its contents. Students who do not comply with the contents of their Gender Identity Plan, particularly related to the use of facilities, may be disciplined.

The Superintendent, in consultation with each building principal, will establish a form to use as a guide for the development of this plan. The form does not preclude the School District from considering additional information for the plan or from including things in a Student's plan that are not included on the form. Instead, the form is intended to guide discussions with the Student and the Parents.

SAFETY RULES FOR RESTROOMS

The following safety rules for Private Facilities have been established pursuant to Board Policy. Students who violate these rules may be disciplined.

1. Students will be allowed to use the restrooms during appropriate times based upon age and supervision. Students who request to use the restroom during class time are required to obtain a pass from the teacher.
2. Students are expected to use the restroom and return to scheduled activities as soon as possible. Loitering in the restroom is prohibited.
3. Students are expected to respect the privacy of other people in the restroom. Students are prohibited from looking under stalls or through stall doors, opening stall doors, or climbing over or under locked stalls. Students should not purposefully look at or watch other people in a state of undress while in the bathroom.
4. Sexual activity is prohibited on school grounds and particularly in restrooms.
5. Harassment of students is prohibited on school grounds and in restrooms.
6. Menstrual products in rest rooms should be used for legitimate purposes only.

Adopted: May 15, 2023

Waterloo Community Unit School District No. 5
