



Student Physical Privacy Policy

Schools have a duty to protect the privacy, safety, and dignity of all students.

BACKGROUND

Toilets / Changing Rooms

- Schools should craft policies that are both respectful of the privacy concerns of all children *and* sensitive to the diverse needs of individual children.
- Any physical privacy policy should respect the needs of all children because every child matters. No policy should be tailored to a few students at the expense of every other student.
- Schools can accommodate a small number of students with different needs without compromising the rights of other children and their parents.
- No child should be forced into an intimate setting – like a toilet block or a changing room – with another child of the opposite sex.
- We sympathise with children who have difficult personal issues to work through. But a 16-year-old boy shouldn't be permitted to deal with those issues in intimate settings with a 13-year-old girl.
- Every student has a right to privacy and safety.

Sports Teams

- Allowing boys to play on girls' sports teams can be unfair and may pose great physical risk to girls, particularly at the high school level.
- A school's primary duty is to protect its students.
- Children and their parents need to know that they are safe in intimate settings especially while traveling for sports events.
- Allowing children to share restrooms, showers, and even motel rooms with the opposite sex is a radical invasion of privacy for children who deserve to feel safe in intimate settings and away from home.
- The only sensible, objective, and enforceable policy is one that ensures single sex access to areas where children undress or engage in other activities that require privacy.

DRAFT POLICY

I. PURPOSE

In recognition of student physical privacy rights and the need to ensure student safety and maintain school discipline, this Policy is enacted to advise school staff regarding their duties in relation to student use of toilets, changing rooms, showers, and other school facilities where students may be in a state of undress in the presence of other students.

II. DEFINITIONS

“Sex” means the biological condition of being male or female as determined at birth based on physical differences, or, when necessary, at the chromosomal level.

III. POLICY

A. Use of School Facilities

Notwithstanding any other Board Policy, student toilets, changing rooms, and showers that are designated for one sex shall only be used by members of that sex.

In any other school facilities or settings where a student may be in a state of undress in the presence of other students (*i.e.*, changing costumes during school theatrical productions, etc.), school staff shall provide separate, private areas designated for use by students based on their sex.

B. (Option 1) Accommodation for *Students Desiring Greater Privacy*

Students who, for any reason, desire greater privacy when using a facility described in subsection A may submit a request to the Principal for access to alternative facilities. The Principal shall evaluate these requests on a case-by-case basis and shall, to the extent reasonable, offer options for alternate facilities, which may include, but are not limited to: access to a single-stall toilet; access to a unisex toilet; or controlled use of an employee toilet, changing room, or shower. Under no circumstances shall the options offered involve use of a facility described in subsection A that is designated for use by members of the opposite sex.

C. (Option 2) Accommodation of *Students Who Do Not Self-Identify With Their Sex*

Students that assert that their gender is different from their sex and request special accommodations regarding the facilities described in subsection A shall, to the extent reasonable, be provided with an available accommodation that meets their needs. Such accommodations may include, but are not limited to: access to a single-stall toilet; access to a unisex toilet; or controlled use of an employee toilet, changing room, or shower. In no event shall the accommodation be access to a facility described in subsection A that is designated for use by members of the opposite sex.