

FREQUENTLY ASKED QUESTIONS
Updated March 31, 2017 (questions 12-20 are new)

12. Has the Board taken any official action regarding the legal action?

A: Yes. At the March 28th Board meeting, following significant public input, the Board by a vote of 6-3 voted to reject the recommended actions sought in the Demand Letter of the plaintiffs.

13. What does that mean in terms of bath and locker-room access?

A: It means that there will be no immediate change in the current rules regarding the use of those facilities. However, given the complexity of this issue, the Board may continue to review options to effectively address bathroom and locker room use. It also means that the District will continue to work as best we can with any student, and that student's family, who requests assistance in obtaining what they consider reasonable accommodation to address their privacy needs.

14. Does the Board's decision change in any way the ability of the transgender male student's right to use the BASH locker room for PE class?

A: No. However, it should be noted that that student has stated, and there has been confirmation from faculty, that gym clothes are worn under his school clothes on PE class days. So he uses the locker room only to change out of and then back into his street clothes, while never removing his PE uniform (shorts and a tee shirt). This is in contrast to the assertion in the plaintiffs' complaint that the student removes down to his undergarments his clothes and changes into his uniform. Additionally, it should be noted that there are in upwards of 60 students accessing the locker room during a particular class period as well as upwards of four supervising adults.

15. Is there any additional information on the potential cost to the District of legal defense fees?

A: Not with any specifics at this time. However, we can report that one of the District's insurance carriers, citing coverage, has assigned an experienced area defense law firm to work with Solicitor Jeffrey Sultanik on the case. The District has a \$25,000 deductible on its insurance program. In addition, as previously stated in the FAQs, broader legal issues are being litigated in several other cases, including a recent case in Western Pennsylvania.

16. Why is the identity of the plaintiff-student, his guardians, and the transgender student referred to in the lawsuit not being made public?

A: The plaintiffs requested confidentiality and the District has supported that request, and the transgender student also requested his privacy be protected. Another transgender student, who addressed the Board at its meeting on March 28th, has chosen to speak publicly on the matter. It was misreported in certain press accounts that he was the student referred to in the lawsuit.

17. Does every school in the district have designated multi-user as well as non-designated single-user bathrooms?

A: All facilities are clearly marked with appropriate signage.

18. Are there privacy alternatives in every school?

A: Yes.

19. Are students in any school ever forced to use a specific facility?

A: No. Students are asked to respect the privacy of their fellow students as members of the school community.

20. What is the procedure if a student and/or parent/guardian is concerned about their individual situation regarding facility access-accommodation?

A: The student or the student's parent/guardian should communicate *immediately* with the building principal to request accommodations.