

MESSAGE FROM THE SUPERINTENDENT - March 22, 2017

On March 21, 2017, The Boyertown Area School District (BASD) received a Demand Letter, along with a copy of a filed, but not yet served, lawsuit in Federal court. Lawyers representing the plaintiff, a BASD student (who shall remain anonymous) and his guardians, presented the documents to the District's solicitor. The assertions, which include a claim for money damages, include allegations that the District had violated the student's right to privacy by failing to restrict the use of its bathrooms and locker rooms to either male or female students. According to the claims, the District could not by law permit a transgender student to use any facility, such as a bath or locker room, designated for males or females.

The District, which only learned of the lawsuit and Demand Letter after the plaintiff's attorneys held a news conference, contests the claims and will appropriately respond and defend its actions that we believe were consistent and compliant with the law. However, it also believes it is important that every student, parent and guardian, and the community at large, know the facts about its policy and practices to ensure an educational environment for everyone that is free of any form of discrimination.

The BASD is firmly committed through our words and actions to treating every student, and member of our community with respect, dignity, and sensitivity in accordance with all applicable laws. The administration and staff, contrary to the allegations, offered the student-plaintiff reasonable and appropriate alternatives when he voiced opposition to changing in a designated male locker room being used by a transgender student. We also discussed those options with his guardians, explaining that at the time we were following the law of the land. Even though the Federal government's position has changed since then, we are now guided by a recent Federal court ruling in a Pennsylvania case, and await additional guidance from the State of Pennsylvania.

Working with our solicitor, and seeking guidance from authorities that include the Pennsylvania Department of Education, the administration and School Board continues to focus on our mission and meeting the educational needs of all individuals.

As our nation struggles to balance the rights of individuals and groups regarding this challenging but very real issue, we ask all students, parents and community members to treat each other with the same degree of respect, dignity, and sensitivity. We are committed and confident that working together we can reach a satisfactory resolution that is consistent with our mission "to enable all students to succeed in a changing world."

We thank all parties in advance for their cooperation and understanding as we work together to move forward as one District.

This message has been posted to our District website at www.boyertownasd.org. Future updates will be posted to this site.

Dr. Richard H. Faidley