

SENATE FILE NO. SF0062

Restrooms in publicly funded schools-2.

Sponsored by: Senator(s) Laursen, D, Boner, Brennan,  
French, Ide, Olsen, Salazar and Smith, D and  
Representative(s) Banks, Bear, Heiner,  
Hoeft, Knapp, Ottman, Pendergraft,  
Rodriguez-Williams, Webber, Wharff and  
Winter

A BILL

for

1 AN ACT relating to school districts; requiring public  
2 school children to use restrooms that align with their sex  
3 at birth; requiring reasonable accommodations; providing  
4 exceptions; providing penalties; providing definitions; and  
5 providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 21-3-137 is created to read:

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11 **21-3-137. Restrooms in public schools; requirements;**  
12 **definitions; penalties; rulemaking.**

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1           (a) As used in this section:

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3           (i) "Coach" means a person, including but not  
4 limited to coaches, assistant coaches or athletic trainers,  
5 employed by or contracted with a public school who is  
6 involved in the teaching, coaching or training of students  
7 participating in a school-sponsored athletic activity;

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9           (ii) "Multiple occupancy restroom or changing  
10 room" means a room in a public school building designed or  
11 designated to be used by more than one (1) person at the  
12 same time, where persons may be in various stages of  
13 undress in the presence of other persons. The term includes  
14 but is not limited to a school restroom, locker room,  
15 changing room or shower room;

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17           (iii) "School-sponsored athletic activity" means  
18 a sporting event that is supported and affiliated with the  
19 school;

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21           (iv) "Sex" means as defined by W.S.  
22 21-25-101(a)(iv).

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1           (b) To ensure privacy and safety, each public school  
2 district that serves students in pre-kindergarten through  
3 twelfth grade in this state shall require every multiple  
4 occupancy restroom or changing room to be designated as  
5 follows:

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7                   (i) For the exclusive use of the male sex; or

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9                   (ii) For the exclusive use of the female sex.

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11           (c) Each public school district shall provide a  
12 reasonable accommodation to any person who does not wish to  
13 use a multiple occupancy restroom or changing room in  
14 accordance with the designation required under subsection  
15 (b) of this section. For purposes of this subsection, a  
16 reasonable accommodation shall include a single-occupancy  
17 restroom or changing room.

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19           (d) This section shall not apply to persons entering  
20 a multiple occupancy restroom or changing room designated  
21 for use by the opposite sex when entering for at least one  
22 (1) of the following reasons:

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1           (i) For custodial, maintenance, repair or  
2 inspection purposes;

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4           (ii) To render emergency medical assistance;

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6           (iii) If a suitable meeting room or area is not  
7 available, a coach may enter a locker room before, during  
8 or after a school-sponsored athletic activity, provided:

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10           (A) All students present are fully clothed;

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12           (B) The coach may be accompanied by not  
13 less than one (1) additional adult at all times;

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15           (C) If the coach is the opposite sex of the  
16 students present, the coach shall be accompanied by at  
17 least one (1) adult of the same sex as the students  
18 present; and

19

20           (D) The adults present shall not be current  
21 high school students.

22

1           (iv) For an adult to render assistance to any  
2 student or person requiring assistance because of  
3 disability or age;

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5           (v) If a suitable meeting room or area is not  
6 available and the coach is the coach of a school-sponsored  
7 athletic activity with members of both the male and female  
8 sexes on the team or in the activity, the coach may enter a  
9 locker room before, during or after the school-sponsored  
10 athletic activity if all students are fully clothed. If  
11 available, the coach shall be accompanied by not less than  
12 one (1) additional adult at all times but an additional  
13 adult shall not be required if members of the activity of  
14 both sexes are present in the locker room. The adults  
15 present shall not be current high school students.

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17           (e) Each school district board of trustees shall  
18 adopt policies to provide for disciplinary action for  
19 persons who refuse to comply with this section.

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21           (f) No school district board of trustees shall adopt  
22 a policy contrary to the provisions of this section.

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1           (g) A parent or legal guardian of a student enrolled  
2 in and physically attending a public school district shall  
3 have a cause of action against the public school for  
4 noncompliance with the provisions of subsection (b), (c) or  
5 (d) of this section.

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7           **Section 2.** W.S. 21-3-110(a) by creating a new  
8 paragraph (xliv) is amended to read:

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10           **21-3-110. Duties of boards of trustees.**

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12           (a) The board of trustees in each school district  
13 shall:

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15                   (xliv) Ensure that each school district in the  
16 state requires every multiple occupancy restroom or  
17 changing room be designated for the exclusive use of the  
18 male sex or the exclusive use of the female sex.

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1           **Section 3.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

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6

(END)