



December 18, 2014

Mr. George R. Burak, Chairperson
Mr. Kevin M. Smith, Vice-Chairperson
Mr. Troy M. Andersen, Member
Ms. Kimberly E. Hensley, Member
Ms. Carla B. Hook, Member
Ms. Anita F. Parker, Member
Mr. Charles Records, Member
Gloucester County School Board
6099 T.C. Walker Road
Gloucester, VA 23061

Re: Gloucester County Public Schools' Policy on Student Privacy

Dear Members of the Gloucester County School Board:

We write to affirm your decision “to provide male and female restroom and locker room facilities” in Gloucester County Public Schools (“GCPS”), to limit “the use of said facilities ... to the corresponding biological genders,” and to provide “students with gender identity issues ... an alternative private facility.” GCPS’ policy, which is substantially the same as Alliance Defending Freedom’s Model Student Physical Privacy Policy, is appropriately respectful of the privacy concerns of all children *and* sensitive to the diverse needs of individual students. No child should be forced into an intimate setting—like a restroom or locker room—with another child of the opposite sex. We applaud the District for listening to parents and respecting their right to control their children’s’ education and upbringing. As GCPS’ policy on student privacy demonstrates, schools can reconcile the competing interests in these delicate situations by being respectful of the privacy concerns of all children *and* sensitive to the diverse needs of individual children.

Rather than commending the District’s efforts to safeguard the privacy of *all* GCPS students, we understand that the ACLU of Virginia has denounced the School Board’s decision and threatened a lawsuit. We would like to reaffirm our offer, should the District face legal action over its decision, to evaluate the specific facts of the situation and if appropriate offer to assist with the District’s legal defense. Please do not hesitate to contact us about this matter at 1-800-835-5233.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeremy D. Tedesco". The signature is stylized with a large, sweeping initial "J" and a long horizontal stroke at the end.

Jeremy D. Tedesco, Senior Legal Counsel
J. Matthew Sharp, Legal Counsel
Rory T. Gray, Litigation Staff Counsel

cc: Dr. Walter R. Clemons, Superintendent