



Dear Superintendent:

Your school district may be facing an issue that an increasing number of school districts across the country are wrestling with: requests by students struggling with gender identity issues to use the bathrooms, locker rooms, or shower rooms of the opposite sex.

Misinformation abounds regarding how to handle such requests. One common misconception is that federal law mandates that schools capitulate to these requests. We write to inform you that *neither Title IX, nor any other federal law, requires schools to allow students to use opposite-sex restrooms, showers, and changing rooms.*

We also write to inform you that *schools that allow students to use the restrooms, locker rooms, and shower rooms of their choice open themselves to legal liability for violating the fundamental rights of students and parents.* Students have the right to bodily privacy. Parents have the right to control their children's education and upbringing, including their knowledge of the differences between the sexes. Forcing students into vulnerable interactions with opposite-sex students in secluded restrooms and locker rooms would violate these fundamental rights.

Such delicate situations certainly involve competing interests, but ones that are reconcilable. *Adopting our model Student Physical Privacy Policy will help your district successfully navigate the difficult issues posed by these competing interests.* The Policy accommodates students struggling with gender identity issues, protects the fundamental rights of other students and their parents, and insulates school districts from legal liability. We have also written a letter explaining the legal and practical rationales for adopting the Policy. If a district adopts our model policy and it is challenged in court, Alliance Defending Freedom will review the facts and if appropriate offer to defend that district free of charge.

If you should have any questions regarding this matter, please do not hesitate to contact us at 1-800-835-5233.

Cordially,

A handwritten signature in blue ink, appearing to read 'Jeremy D. Tedesco'.

Jeremy D. Tedesco, Director of Secondary School Project
J. Matthew Sharp, Legal Counsel
Rory T. Gray, Litigation Staff Counsel