

Emery County School District



Policy: FABB—Use of Sex-Designated Facilities

Date Adopted: 11 December 2024

Current Review / Revision: **First Reading for Consent 11 February 2026**

Definitions—

1. “Sex” means an individual’s biological sex, either male or female, at birth, according to distinct reproductive roles as manifested by: (a) sex and reproductive organ anatomy; (b) chromosomal makeup; and (c) endogenous hormone profiles.
2. “Female” means the characteristic of an individual whose biological reproductive system is of the general type that functions in a way that could produce ova.
3. “Male” means the characteristic of an individual whose biological reproductive system is of the general type that functions to fertilize the ova of a female.
4. “Intersex individual” means the same as defined in Utah Code § 26B-8-101(15).
5. “Gender identity” means the individual’s internal sense of gender. Gender identity can be shown by information including but not limited to medical history, care or treatment of the gender identity, consistent and uniform assertion of the gender identity, or other evidence that the gender identity is sincerely held, part of a person’s core identity, and not being asserted for an improper purpose.
6. “Sex-designated” means a facility that is designated specifically for males or females and not the opposite sex.
7. “Unisex” means designated for the use of both sexes or not sex-designated.
8. “Privacy space” means a restroom or changing room.
9. “Restroom” means any space including a toilet.
10. “Men’s restroom” means a restroom that is designated for the exclusive use of males and not females.
11. “Women’s restroom” means a restroom that is designated for the exclusive use of females and not males.
12. “Changing room” means a space designated for multiple individuals to dress or undress within the same space. It includes a locker room, shower room, dressing room, or fitting room and includes a restroom when the changing room contains or is attached to the restroom.
13. “Single-occupant” means a privacy space that has floor-to-ceiling walls, an entirely encased and locking door, and is designated for single occupancy.

[Utah Code § 63G-31-101\(1\), \(4\), \(5\), \(7\), \(9\), \(10\), \(11\), \(12\), \(13\) 14](#)

[Utah Code § 68-3-12.5\(12\), \(18\), \(33\)](#)

[Utah Code § 26B-8-101\(15\) 16](#)

[Utah Code § 34A-5-102\(1\)\(o\)](#)

Use of Sex-Designated Privacy Spaces—

Students may only access operational sex-designated privacy spaces designated for student use if the student's sex corresponds with the sex designation of the privacy space. This restriction does not apply to intersex students.

[Utah Code § 63G-31-301\(1\), \(5\)\(b\)](#)

If a student requests use of a privacy space other than the sex-designated privacy space that corresponds with the student's sex, because of the student's gender identity or because of reasonable fear of bullying, the District shall coordinate with the student's parent to develop a privacy plan that provides the student with reasonable access to a unisex or single-occupant facility or reasonable access to a faculty or staff restroom. If such access is unavailable, the student shall be provided with reasonable access to private use of an otherwise sex-designated privacy space through staggered scheduling or other arrangement providing temporary private access.

[Utah Code § 63G-31-301\(2\)](#)

[Utah Code § 63G-31-303](#)

Students shall be given notice of the requirements of this policy and each school shall take administrative action to address violations and promote compliance with this policy.

[Utah Code § 63G-31-301\(3\)](#)

Emery School District will also be in coordination and compliance with the Emery County Privacy Space Compliance Plan.

Previous Revision - 11 December 2024