Use of Sex-Designated Facilities

Definitions

1. "Sex" means an individual's biological sex, either male or female, at birth, according to distinct reproductive roles as manifested by sex and reproductive organ anatomy, chromosomal makeup, and 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(16). 5. "Gender identity" means the individual's internal sense of gender. 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, including a locker room, shower room, dressing room, fitting room, or restroom attached to the changing room. 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), (13), (14) (2025)

Utah Code § 68-3-12.5(13), (19), (34) (2026)

Utah Code § 26B-8-101(16) (2025)

Utah Code § 34A-5-102(1)(o) (2025)

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) (2025)

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 another arrangement providing temporary private access.

Utah Code § 63G-31-301(2) (2025)

Utah Code § 63G-31-303 (2024)

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) (2025)

Source Traceability

Source	Use in this policy
USBA Model Policy FABB, modified 16 June 2026	Model policy retained as the controlling sex-designated privacy space, parent-coordinated privacy plan, private access, notice, and compliance framework.
MSD Policy 4005, approved 2024	Reviewed and used in FABB-1 for coordination with nondiscrimination, confidentiality, and reporting principles.
MSD Policy 6000, approved 2026	Reviewed and used in FABB-1 only for student admission/record privacy coordination; admission and residency substance stays in FBA/FBAC.

Disposition: The USBA FABB model controls. A limited Millard subsection was added only to preserve local coordination expectations for documentation, student privacy, supervision, and parent communication when privacy plans or private access arrangements are implemented.