

Why Policy 253 is Bad for ELANCO

The ELANCO Community, with the support of Kinetic Faith, continues to spread the word about this destructive policy. Here's some insights from our analysis and how we come to these conclusions.

This board seeks to circumvent the issue of biological sex instead of uphold and reinforce it

- From its inception, the board has avoided wording about biological sex, while at the same time, claiming it affirms and upholds it.
- The board only added wording about biological sex at the pressure of the public (which it's never sought the opinion of)
- The board rushed a last minute draft at its last meeting to address biological sex, and only complicated the matter, giving counsel reason to not sign off on it

The truth about Policy 253

This policy phases out recognition of biological sex in school facilities

Addendum Wording:

"While the renovation plan for the facilities is being reviewed and executed, we recommend that where ever we cannot provide private single user facilities when changing or using the bathroom facilities, the students are to use the facilities based on their biological sex. Anywhere within the district that our system has not caught up with the renovations this will be in effect. Any student who wishes additional privacy while changing or using the bathroom facilities will have the ability to use an appropriate single user facilities." - there is no longer a need for recognizing biological sex once private facilities are built.

This policy does not prevent the proximity of opposite biological sexes outside of private facilities

No where does the policy require students to refrain from being proximate to each other outside of unisex private facilities, yet the board continues to say the policy upholds and separates students by biological sex.

This policy makes it punitive to be in an undressed state in front of your own biological sex

- 3.0 "Each student shall be responsible for respecting the privacy of his/her fellow students." - **it does not give exception within their own sex**
- 5.2.1 " Students are not permitted to use open locker-room areas as changing areas and are expected to be fully dressed in these locations" - **it does not give exception within their own sex**
- 5.3 "Over displays of nudity" - **it does not give exception within their own sex**
- 5.6— **There is no exception to discipline if these rules are violated within their own sex**

This policy contributes to undermining sexual identity by removing the notion of biological sexual identity

No where in the policy is biological sex upheld as an identity that is to be permanently recognized, respected, and reinforced on it's own merit.

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This policy creates and invites new problems by eliminating boundaries between the biological sexes, while increasing proximity of both biological sexes

The likelihood of opposite biological sex students walking in on each other (inadvertently or deliberately) in unisex private facilities is greatly increased by not restricting their proximity to one another.

This policy adds difficulty and liability to teachers and staff by limiting their access to students of same biological sex

- 3.0 “Each staff member shall be responsible for maintaining an educational environment that respects the physical privacy of students. Staff members who observe or become aware of an act in violation of this policy shall take immediate, appropriate steps to intervene. Additionally, s/he shall report the conduct to the building principal for further investigation. This investigation may include: interviews with students, parents/guardians, and school staff; review of school records; and any other appropriate means of investigation.” - **teachers and staff that don’t intervene are now liable. But with the elimination of biological sex it now becomes unclear as to whether a teacher of opposite biological sex is required to refrain or intervene.**
- 5.1 “Physical boundaries are to be respected by all students and staff in the context of locker room, changing room, shower or restroom use, both in multi or single-user facilities. Personal space must reflect a level of respect that honors each student’s physical privacy interests while using locker rooms, changing rooms, restrooms, and shower facilities.” - **teachers and staff are required to respect student privacy like any other student...**
- 5.5 “The District shall have the right to access any single-user lockable facility, including one currently in use, where building administrators have a reasonable basis to believe that an individual’s use of such facility poses an imminent threat to the health, safety, security or welfare of him/herself or others. In the absence of a reasonable belief that an imminent threat exists as set forth above, District personnel shall not enter single-user facilities currently in use without the express permission of the student and/or his/her parents/guardians.” - **today a teacher or staff of the same sex can monitor and intervene as necessary, but under this policy will be required to respect privacy, while at the same time intervene in an emergency, but not be able to if it’s just disciplinary? This is ripe with liability.**
- 5.2.2 “District locker room facilities shall be equipped with single-person changing rooms for use by any student, regardless of the reason. Single-user changing rooms shall include locking mechanisms controlled by the user. Each room shall include walls which ensure maximum privacy. Each room shall include floor to ceiling walls which protect the student’s privacy but do not unduly burden or restrict student and school safety.” - **with so little access, just how are teachers and staff to know what is going on so they know when to intervene? This policy disempowers teachers and staff, while enabling and emboldening student misbehaviors**

This policy commits the district to spending with no cap, while still increasing liability

- 5.1 “Unisex or single-user facilities for changing and toileting shall be provided by the District in order to create a comfortable facility for any student, for any reason.” - **the public has been told the estimates and renovations only apply to high school locker rooms. But their own policy commits them to renovate all buildings throughout the district at the demand of any student for any reason.**

For this, and all the previous reasons given, why would the district increase spending for something that not only didn’t decrease liability, but actually increased it??