

Section J: General School Administration	Knox County Board of Education Policy		
	Descriptor Term:	Descriptor Code:	Issued:
	Accommodations for Restrooms and Changing Facilities	C-250	9/21
		Reviewed:	Revised:
		2/24	12/22

All Knox County Schools shall, to the extent practicable, provide a reasonable accommodation to a student, teacher, or employee of the school who:

1. Desires greater privacy when using a multi-occupancy restroom or changing facility designated for the student's, teacher's, or employee's sex and located within the school building, or when using multi-occupancy sleeping quarters designated for the student's, teacher's, or employee's sex while the student, teacher, or employee is attending a public school-sponsored activity; and
2. Provides a written request for a reasonable accommodation to the school principal. If the student requesting a reasonable accommodation is under eighteen (18) years of age, then the student's parent or legal guardian must provide the written request on the student's behalf.¹

The school principal shall evaluate the request on behalf of the school and, to the extent practicable, provide a reasonable accommodation. The principal shall issue a decision approving or denying the request in writing. If the principal denies the request, then the grounds for denial must be provided in the principal's written decision. A valid original birth certificate is to be provided to determine a student's sex at the time of birth.²

Definition

A "reasonable accommodation" includes, but is not limited to, access to a single-occupancy restroom or changing facility or use of an employee restroom or changing facility. However, a reasonable accommodation does not include: access to a restroom or changing facility that is designated for use by members of the opposite sex while members of the opposite sex are present or could be present; requesting that a school construct, remodel, or in any way perform physical or structural changes to a school facility; or requesting that a school limit access to a restroom or changing facility that is designated for use by members of the opposite sex, if limiting access results in a violation of state or local building codes or standards.¹

Appeal upon Denial

1. If a written request for a reasonable accommodation is denied by the principal, then the student, teacher, or employee, or the student's parent or legal guardian, as applicable, may appeal the decision to the Knox County Schools Assistant Superintendent of Business and Talent, by submitting a written request for an appeal to the Assistant Superintendent of Business and Talent, within fifteen (15) calendar days of the individual's receipt of the principal's written decision denying their request for accommodation. The Assistant Superintendent of Business and Talent shall investigate and attempt to resolve the complaint within fifteen (15) calendar days of receipt of the written request for an appeal.

2. If a written request for a reasonable accommodation is denied by the Assistant Superintendent of Business and Talent, then the student, teacher, employee, or the student's parent or legal guardian, as applicable, may appeal the denial to the Director of Schools.
3. If a written request for a reasonable accommodation is denied by the Director of Schools, then the student, teacher, employee, or the student's parent or legal guardian, as applicable, may appeal the denial by requesting a hearing on the matter before an impartial hearing officer selected by the Knox County Board of Education.
4. To appeal the Director of School's decision, the student, teacher, employee, or the student's parent or legal guardian, as applicable, must give written notice to the Director of Schools of the individual's request for a hearing within fifteen (15) calendar days of the individual's receipt of the Director of School's decision denying the request for accommodation.
5. The Director of Schools shall name an impartial hearing officer within five (5) days following the Director of School's receipt of a request for a hearing.
 - (a) The impartial hearing officer shall notify all parties of the hearing officer's assignment and schedule a hearing no later than thirty (30) days following the Director of School's receipt of the individual's request for a hearing;
 - (b) The impartial hearing officer may conduct all or part of the hearing by telephone if each participant has an opportunity to participate by telephone;
 - (c) The hearing must be conducted privately; and
 - (d) The impartial hearing officer shall, within ten (10) days of the hearing's conclusion, provide a written decision to all parties.

Mandates

Only those members of the same sex shall be allowed in a multi-occupancy restroom or changing facility designated for the student's, teacher's, or employee's sex within Knox County Schools' buildings.

Only those members of the same sex shall be allowed to share sleeping quarters with each other while at school or participating in school-sponsored activities, unless the member of the of the opposite sex is a family member of the student, teacher, or employee. In the case of the exception, there shall be separate quarters for the family members.

Single occupancy restrooms in Knox County Schools' buildings shall be marked as unisex.

Legal Reference:

1. T.C.A. § 49-2-801 et seq.

Cross Reference:

- Knox County Board of Education Policy I-171 "Interscholastic Athletics."

Approved as to Legal Form

By Knox County Law Director 1/11/2024

/Gary T. Dupler/Deputy Law Director