

**SUBSTITUTE FOR  
HOUSE BILL NO. 4024**

A bill to require that certain educational institutions in this state, when providing students with multiple-occupancy restrooms, changing areas, and similar facilities, do so in a manner that ensures each student's privacy from individuals of the opposite sex; and to provide for the powers and duties of certain state and local governmental officers and entities.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act may be cited as the "student restroom privacy  
2 act".

3           Sec. 2. As used in this act:

4           (a) "Educational institution" means a public educational  
5 institution or a separate school or department of a public  
6 educational institution, including, but not limited to, an academy,

1 college, elementary or secondary school, extension course,  
2 kindergarten, nursery, local school system, or university; a  
3 business, nursing, professional, secretarial, technical, or  
4 vocational school; any educational institution that receives funds  
5 from this state; or an agent of an educational institution.

6 (b) "Multiple-occupancy restroom or changing area" means an  
7 area in an educational institution designed or designated to be  
8 used by more than 1 student at a time, where students may be in  
9 various stages of undress in the presence of other students or  
10 individuals. Multiple-occupancy restroom or changing area includes,  
11 but is not limited to, a restroom, locker room, changing room, or  
12 shower room.

13 (c) "Sex" means the biological indication of male or female,  
14 as listed on an individual's original birth certificate that was  
15 issued at or near the time of the individual's birth.

16 Sec. 3. (1) An educational institution shall require every  
17 multiple-occupancy restroom or changing area to be used by  
18 individuals based on the individuals' sex.

19 (2) This section does not apply to an individual who enters a  
20 multiple-occupancy restroom or changing area designated for use by  
21 the opposite sex if the individual enters for any of the following  
22 circumstances:

23 (a) Custodial purposes if only the individual performing the  
24 custodial purposes is present.

25 (b) Maintenance or inspection purposes if only the individual  
26 performing the maintenance or inspection purposes is present.

27 (c) To render medical assistance.

28 (d) To accompany a student needing assistance if the assisting  
29 individual is an employee of the educational institution or the

1 student's parent or legal guardian or authorized caregiver and if  
2 the multiple-occupancy restroom or changing area is cleared of  
3 other students or individuals.

4 (e) If the individual is a minor child, to accompany the minor  
5 child's parent or guardian into the multiple-occupancy restroom or  
6 changing area of the parent's or guardian's sex.

7 (f) When the multiple-occupancy restroom or changing area has  
8 been temporarily designated for use by those of the individual's  
9 sex.

10 (3) This section does not prohibit an educational institution  
11 from allowing a single-occupancy restroom or changing area to be  
12 used by an individual of either sex.