

AN ACT relating to student privacy.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

(a) "Biological sex" means the physical condition of being male or female, which is determined by a person's chromosomes, and is identified at birth by a person's anatomy; and

(b) "Public school" or "school" means a school under the control of a local board of education of a local school district.

(2) Every school restroom, locker room, and shower room designated for student use accessible by multiple students at the same time shall be designated for and used by male students only or female students only.

(3) In every school setting in which a student may be in a state of undress in the presence of other students, school personnel shall provide separate, private areas designated for use by students based on their biological sex.

(4) (a) A student who asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent to school officials shall be provided with the best available accommodation, but that accommodation shall not include the use of student restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

(b) Acceptable accommodations may include but are not limited to access to single-stall restrooms, access to unisex bathrooms, or controlled use of faculty bathrooms, locker rooms, or shower rooms.

(5) Any portion of this section declared invalid shall not affect the validity of the

remaining portions of this section.