A bill for an act
relating to education; establishing the Student Physical Privacy Act; proposing
coding for new law in Minnesota Statutes, chapter 121A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [121A.35] STUDENT PHYSICAL PRIVACY ACT.

Subdivision 1. Purpose. The purpose of this section is to protect and provide for
the privacy and safety of all students enrolled in public schools and to maintain order and
dignity in restrooms, locker rooms, changing rooms, showers, and other facilities where
students may be in various states of undress in the presence of other students.

Subd. 2. Definitions. For the purposes of this section, the following terms have
the meanings given them.

(a) "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.

(b) "Public school" means a public school under section 120A.05, subdivisions 9,
11, 13, and 17, and a charter school under section 124D.10.

Subd. 3. Student physical privacy protection. (a) A public school student
restroom, locker room, changing room, and shower room accessible by multiple students
at the same time shall be designated for the exclusive use by students of the male sex
only or by students of the female sex only.

(b) A public school student restroom, locker room, changing room, and shower room
that is designated for the exclusive use of one sex shall be used only by members of that sex.

(c) In any other public school facility or setting where a student may be in a state of
undress in the presence of other students, school personnel shall provide separate, private,
and safe areas designated for use by students based on their sex.
(d) Nothing in this section shall prohibit public schools from providing accommodation such as single-occupancy facilities or controlled use of faculty facilities upon a student request due to special circumstances, but in no event shall that accommodation result in a public school allowing a student to use a facility designated under paragraph (b) for a sex other than the student's own sex.