

Bodily Privacy for All Students

This is really good news for the rights of all students and their families across the country!

On August 3, 2016, the United States Supreme Court voted 5-3 to put a stay (emergency relief pending a decision on the merits of the case) regarding a June 23, 2016 Fourth Circuit Court ruling which stated that a Gloucester County School Board could not bar transgender students from using bathrooms opposite their biological sex.

Thirteen states and two school district's filed suit and on August 22, 2016, United States District Judge, Reed O'Connor, issued a nationwide preliminary injunction which blocked the Obama administration's Title IX "Guidelines". With the school year beginning, this allows school districts to maintain the status quo and continue protecting the bodily privacy rights of all students.

The hold affords all Oregon school district leaders the ability to maintain their current policy of providing reasonable accommodations for transgender students while at the same time upholding the bodily privacy rights of all their students. It remains to be seen what effect [ORS 659A.850](#) may have when federal law is contrary to Oregon law. In the meantime (and until there is solid legal clarity), parents and guardians should encourage their local school districts to maintain the status quo for bodily privacy, safety and common sense.