

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

Agenda Item# 9.4

Meeting Date : June 20, 2024

Subject : Approve Resolution No. 3423: Gender Neutral Restrooms

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division : Youth Development Support Services

Recommendation : Approve Gender Neutral Restrooms Resolution No. 3423

Background/Rationale : Access to restrooms is a fundamental human right. We should not create an environment where students who don't identify with the binary gender must choose whether to use the male or female restroom. We should strive to make our campuses as inclusive and equitable as possible. This resolution aims to ensure that transgender and gender non-conforming students are able to access restroom facilities that align with their gender identity.

Financial Considerations : N/A

LCAP Goal(s) : Youth Voice

Documents Attached:

1. Gender Neutral Restrooms Resolution No. 3423

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SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

RESOLUTION NO. 3423

RESOLUTION TO REQUIRE INSTALLATION OF GENDER- NEUTRAL RESTROOM

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the student's parent/guardian provides notice to school officials of a desire to use a g
or more private restroom, the school shall take steps to provide a reasonable option
student, which may include but is not limited to, providing the student access to gen
restroom facilities or a single stall restroom. Transgender or gender non-conforming
shall not be asked to provide a reason or justification for their request.”

WHEREAS Senate Bill Number 760 states that, “on or before July 1, 2026, each school district,
county office of education, and charter school, including charter schools operating in a school
district facility, maintaining any combination of classes from grades 1 to 12, inclusive, to provide
and maintain at least one-gender restroom for voluntary pupil use at each of its school sites
that meet specified criteria.”

WHEREAS Assembly Bill 1266, the School Success and Opportunity Act, allows Sacramento
City Unified School District (SCUSD) students to access facilities and programs that correspond
to their gender identity and “provides a statutory right for a student to use the relevant facilities
based solely upon gender identity;”

WHEREAS California Education Code Section 35292.5 states that “every restroom in a public
and private school maintaining any combination of classes from kindergarten to grade 12,
inclusive, shall at all times be maintained and cleaned regularly, fully operational and stocked at
all times with toilet paper, soap, and paper towels or functional hand dryers, and that the school
shall keep all restrooms open during school hours when pupils are not in classes, and shall keep a
sufficient number of restrooms open during school hours when pupils are in classes;”

WHEREAS California Education Code Section 35292.5 under the section Gender Neutral
Restrooms states that each school district, grades 1 to 12 schools must “provide and maintain at
least one all-gender restroom for pupil use that meets the following requirements

1. Has signage identifying the bathroom facility as being open to all genders and in conformity with Title 24 of the California Code of Regulations.
2. Is available for pupil use, consistent with the requirements of subdivision (a), as unlocked, unobstructed, easily accessible by any pupil, and consistent with existing pupil access to sex-segregated restrooms.

3. The task force will recommend site priorities and the appropriate allocated cost per site per restroom as funding becomes available following the initial rollout of Cohort 1; and
4. If restroom locations with equitable accessibility have yet to be determined, the task force will consult with the school site council at each high school council to determine the best location for these restrooms that ensures ease of accessibility to students on campus; and
5. The task force should be included in the accountability process to ensure that this project is completed within the described timeline and will continue to survey students about the accessibility and quality of their gender neutral restrooms; and
6. The task force should present triannual updates on restroom installments to the Board of Education as an Information Only item during the planning and execution process; and

BE IT FURTHER RESOLVED that the SCUSD Board of Education, in collaboration with Facilities, ensures that these restrooms be fully resourced and regularly restocked with necessary items like toilet paper, seat covers, soap, menstrual products (tampons and pads), hand dryers, and paper towels; and

BE IT FURTHER RESOLVED that new gender-neutral restrooms will be constructed with locking mechanisms that allow open student access without assistance from staff, as budgets and design specifications become available. Furthermore, Facilities Support Services will update the locking mechanisms of already existing gender-neutral restrooms; and

BE IT FURTHER RESOLVED that once locking mechanisms are updated, these restrooms are unlocked during school and expanded learning hours, and easily accessible and conveniently located for students, especially those with disabilities, without needing assistance or a key from a campus worker to access them. These restrooms must be located in high traffic student areas that are accessible to use within allowed restroom time limits at campuses; and

BE IT FINALLY RESOLVED that in consideration for the safety, comfort, and well-being of LGBTQ+ students, as well as all K-12 students within the Sacramento City Unified School District, this project be prioritized at the utmost importance.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 20th day of June, 2024 by the following vote:

AYES: _____
 NOES: _____
 ABSTAIN: _____
 ABSENT: _____

