



Michael D. Silverman
Executive Director

April 16, 2013

**VIA ELECTRONIC
& FIRST CLASS MAIL**

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Re: [REDACTED]

Dear Dr. [REDACTED]

I write regarding [REDACTED], whose parents [REDACTED] and [REDACTED] [REDACTED] have asked that we contact you regarding [REDACTED] use of the boys' bathrooms and locker rooms at school. As you may know, [REDACTED] is a twelve year-old seventh grader at [REDACTED] Middle School in your District. He is also transgender.

[REDACTED] was labeled female at birth, but has a male gender identity and has known that he is male since he was a little boy. He has attended school in your District as a boy since 2008, when he was seven years-old. Students and staff at school refer to him as male. He has been diagnosed with Gender Identity Disorder and is undergoing hormone therapy. He exhibits no outward signs of physical development typically seen in adolescent girls.

Despite this, [REDACTED] is not allowed to use the boys' bathrooms or locker rooms at [REDACTED]. Instead, [REDACTED] is the only boy in the District who has been told that he may only go to the bathroom in the school nurse's bathroom, or change for sports in the faculty bathroom.

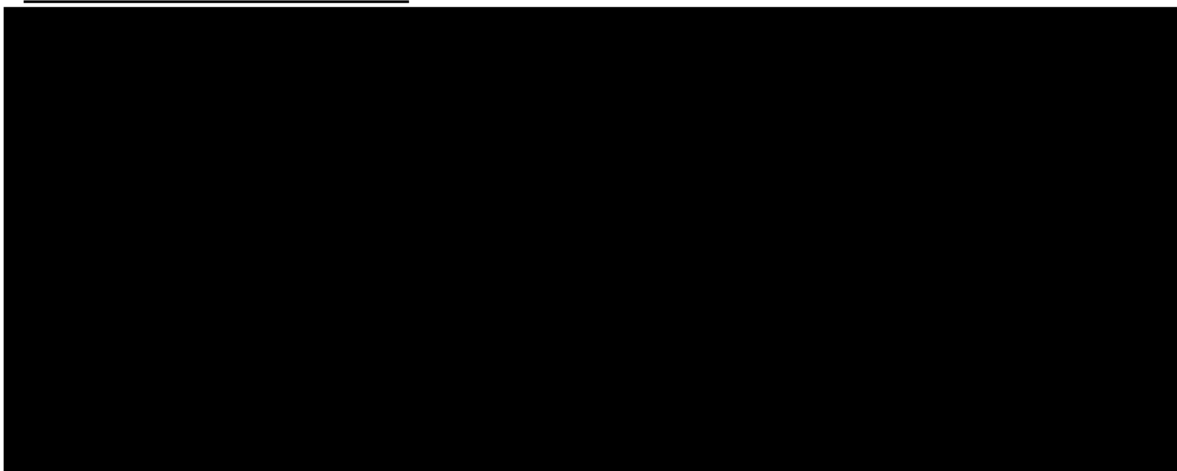
This has caused [REDACTED] great harm. He rarely uses the bathroom at school, and fears that doing so will cause other students to question him about his bathroom use. Already students have questioned his failure to use the boys' locker room when changing for sports. He fears the stigma of being branded the only boy forced to use a bathroom and locker room separate from all of the other boys. He worries about the harassment, bullying and discrimination that will follow from his use of the nurse's bathroom. Equally importantly, [REDACTED] reports that the restrictions on his bathroom and locker room use make him feel singled out and badly about himself.

Because he does not use the bathroom at school, [REDACTED] drinks very little during the day. He consumes only enough liquids to take his medication in the morning and a small amount of milk with his lunch. He consumes no water until he returns home. On most school days, he leaves home at 8am and returns at 4pm. He does not use the bathroom during that time. He has complained to his doctors about bladder irritation and pain resulting from this bathroom avoidance. It saddens me to report that on a number of occasions, [REDACTED] has not made it home in time to avoid wetting himself. This cannot go on.

We hope that the District will reconsider its position and allow [REDACTED] to use the boys' bathrooms and locker rooms at school. As the District itself recognizes, transgender students deserve to be treated like all other students at school. The District's own "Human Dignity Policy" counsels that [REDACTED] should be treated fairly and equally:

[A]ny statement or behavior by any member of the school community which insults, degrades, harasses or stereotypes any other person on the basis of... gender identity is unacceptable.¹

As the District recognizes in its policy, treating [REDACTED] equally is the right thing to do. But treating [REDACTED] equally is also required by law. [REDACTED] protects transgender students like [REDACTED] from discrimination at school. [REDACTED] law states that its purpose is "[to] provide all citizens of the city and county equal opportunity for education... without regard to... gender identity."²



We believe that this situation can be resolved in a manner that protects [REDACTED] and addresses any concerns that the District might have regarding his use of boys' bathrooms and locker rooms. Indeed, school districts around the country have dealt with the unique challenges that transgender students face in a supportive manner that protects those students from the stigma, bullying and harassment that follows from being the only students required to use separate bathrooms and locker rooms.

One need not look far to find supportive environments for transgender students. Transgender students in neighboring [REDACTED], use facilities that match their gender identity without incident. We would be happy to put you in touch with parents and administrators in that district to assist you.

We hope that we will hear from you promptly in order that we may resolve this issue for [REDACTED]. We ask that you respond to this letter no later than April 26. We are available to discuss this matter at your convenience. Thank you for your attention to it.

Very truly yours,



Michael D. Silverman

Cc:

[REDACTED]

[REDACTED]