

ORIGINAL Senate ENGROSSED
File No. SF0062

ENROLLED ACT NO. 53, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2025 General Session

AN ACT relating to school districts; requiring public school children to use restrooms, sex-designated changing facilities and sleeping quarters that align with their sex at birth; requiring reasonable accommodations; providing exceptions; providing penalties; providing definitions; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 21-3-137 is created to read:

21-3-137. Restrooms and changing rooms in public schools; designated sleeping quarters for school-sponsored activities; requirements; definitions; penalties; rulemaking.

(a) As used in this section:

(i) "Coach" means a person, including but not limited to coaches, assistant coaches or athletic trainers, employed by or contracted with a public school who is involved in the teaching, coaching or training of students participating in a school-sponsored activity;

(ii) "Female" means a person who has, had, will have or would have had, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that at some point produces, transports and utilizes eggs for fertilization;

(iii) "Male" means a person who has, had, will have or would have had, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that at some point produces, transports and utilizes sperm for fertilization;

(iv) "Restroom" or "changing room" means a room in a public school building designed or designated to be used by one (1) or more persons, where persons may be in various stages of undress in the presence of other persons. The term includes but is not limited to a school restroom, locker room, changing room or shower room;

(v) "School-sponsored activity" means an event that is supported and affiliated with the school;

(vi) "Sex" means a person's biological sex, either male or female;

(vii) "Sleeping quarters" means an area with at least one (1) bed or cot in which at least one (1) person is housed overnight on or off public school property when attending a school-sponsored activity.

(b) To ensure privacy and safety, each public school district that serves students in pre-kindergarten through twelfth grade in this state shall require every multiple occupancy restroom, changing room or sleeping quarters to be designated as follows:

(i) For the exclusive use of the male sex; or

(ii) For the exclusive use of the female sex.

(c) Each public school district shall provide a reasonable accommodation to any person who does not wish to use a multiple occupancy restroom, changing room or sleeping quarters in accordance with the designation required under subsection (b) of this section. For purposes of this subsection, a reasonable accommodation shall include a single-occupancy restroom, changing room or sleeping quarters. A reasonable accommodation granted

under this subsection shall not include access to a restroom, changing area or sleeping quarters that is designated for use by members of the opposite sex while persons of the opposite sex are present or could be present.

(d) This section shall not apply to persons entering a multiple occupancy restroom, changing room or sleeping quarters designated for use by the opposite sex when entering for at least one (1) of the following reasons:

(i) For custodial, maintenance, repair or inspection purposes;

(ii) To render emergency medical assistance;

(iii) If a suitable meeting room or area is not available, a coach may enter a locker room before, during or after a school-sponsored activity, provided:

(A) All students present are fully clothed;

(B) The coach shall be accompanied by not less than one (1) additional adult at all times;

(C) If the coach is the opposite sex of the students present, the coach shall be accompanied by at least one (1) adult of the same sex as the students present; and

(D) The adults present shall not be current high school students.

(iv) For an adult to render assistance to any student or person requiring assistance because of disability or age;

(v) If a suitable meeting room or area is not available and the coach is the coach of a school-sponsored activity with members of both the male and female sexes on the team or in the activity, the coach may enter a locker room before, during or after the school-sponsored activity if all students are fully clothed. The coach shall be accompanied by not less than one (1) additional adult at all times but an

additional adult shall not be required if members of the activity of both sexes are present in the locker room. The adults present shall not be current high school students;

(vi) To render caregiving assistance;

(vii) To receive assistance if the person is accompanied by a family member, legal guardian or the person's designee who is a member of the designated sex for the single-sex restroom, changing area or sleeping quarters;

(viii) When necessary to prevent a serious threat to public health or student safety during an ongoing natural disaster or emergency;

(ix) When a school official or employee enters a restroom, changing area or sleeping quarters while in the performance of the official's or employee's official duties and who takes reasonable steps to ensure that no person in the room is in a state of undress;

(x) When a restroom, changing area or sleeping quarters has been temporarily designated for use by the opposite sex.

(e) Each school district board of trustees shall adopt policies to provide for disciplinary action for persons who refuse to comply with this section.

(f) No school district board of trustees shall adopt a policy contrary to the provisions of this section.

(g) A parent or legal guardian of a student enrolled in and physically attending a public school district shall have a cause of action, including for declaratory and injunctive relief, against the public school for noncompliance with the provisions of subsection (b), (c) or (d) of this section.

Section 2. W.S. 21-3-110(a) by creating a new paragraph (xliv) is amended to read:

21-3-110. Duties of boards of trustees.

(a) The board of trustees in each school district shall:

(xliv) Ensure that each school district in the state requires every multiple occupancy restroom, changing room or sleeping quarters be designated for the exclusive use of the male sex or the exclusive use of the female sex.

Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the
Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk

