

**Board Policies Implementing
Senate Bill 150
Version #3**

**Jefferson County Board of Education
August 7, 2023**

Key Provisions of Senate Bill 150

- Requires a District to either:
 1. Eliminate instruction on human sexuality or STDs in grades 1-5 **OR**
 2. Prohibit instruction with the goal or purpose of studying sexual orientation or gender identity.
- Prohibits a student from using a restroom reserved for students of a different biological sex.
- With written consent of a parent or guardian, requires a school to provide the best available restroom accommodation for a transgender student (e.g., providing access to a single-stall restroom or a controlled use faculty restroom).
- Requires parent notification and consent regarding:
 1. Provision or referral of health or mental health services relating human sexuality;
 2. Curriculum and instruction relating to human sexuality; and
 3. Student completion of a well-being survey or health screening for research purposes.
- Requires procedures for employees to encourage and facilitate discussion between a student and a parent/guardian regarding physical and mental health.

Shared Provisions of Versions #1 & #3

- Both include a Statement of Concern regarding the negative consequences of Senate Bill 150
- Both state that misgendering students may violate Code of Ethics and constitute sexual harassment under Title IX
- In general, both require use of bathrooms based on biological sex, as reported by a student's parent/guardian, except that accommodations may be provided in the form of a single-use or gender-neutral bathroom.

Version #3 –Two Differences from Version #1

Restroom Exception for Students with Gender Dysphoria

Version #3 retains provision from Version #1 relating to restrooms, but adds an exception:

- A student who has gender dysphoria may have a disability under Section 504 or IDEA.
- A 504 Committee or ARC may provide a student who has gender dysphoria with accommodations, which may include the use of a certain bathroom.

Required Report to EPSB for the Misgendering of a Student

Version #3 retains provision from Version #1 relating misgendering of students, but with one change:

- The intentional, repeated, and ongoing misgendering of a student may violate the Education Professional Standards Board (EPSB) Code of Ethics and constitute sexual harassment under Title IX, which may subject an employee to disciplinary action.
- As required under KRS 161.120, such conduct shall be reported to EPSB.

FEEDBACK & QUESTIONS