



FLOYD COUNTY BOARD OF EDUCATION
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Linda C. Gearheart, Vice-Chair - District 1
Dr. Chandra Varia, Member- District 2
Keith Smallwood, Member - District 4
Steve Slone, Member - District 5

Consent Agenda Item (Action Item): Consider changing the wording of KRS 158.189 (SB 150) to specific language to clarify BOE policy 09.141 regarding Student Privacy.

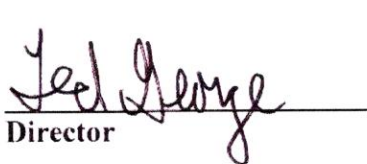
Applicable State or Regulations: Board Policy 01.11 General Powers and Duties of the Board.

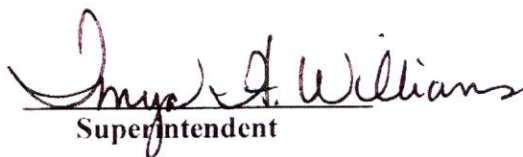
History/Background: The Floyd County Board of Education supports Senate Bill 150 as a measure that reinforces parental rights, strengthens transparency between schools and families, and protects student privacy and safety. In 2023, after overturning the governor's veto, the Kentucky State Legislature passed SB 150 that required local Boards of Education to adopt policies regarding student use of restrooms, parental consent before health or counseling services related to *sexuality* or *gender* are provided, and curriculum specific to Human Sexuality. After policies were created and approved, the wording of the BOE policy supplied by our policy service, the KY School Boards Association (KSBA), were in some cases confusing and lacking clarity. By simplifying the language (attached) and adding direct wording, any supposition or conjecture will be less likely to occur.

Fiscal/Budgetary Impact: None

Recommended Action: Approve as presented

Contact Person(s): Ted George, Assistant Superintendent


Director


Superintendent

Date: October 15, 2025

Student Privacy Rights

PUBLIC COMMENT REQUIRED

KRS 158.189 requires the Board, after allowing public comment at an open meeting, to adopt this Policy (09.141), necessary to protect the privacy rights for students that at a minimum, does not allow students to use restrooms, locker rooms, or shower rooms that are reserved for students of a different biological sex. **The determination of what school restrooms, locker rooms, or shower rooms a student uses is solely based on the biological sex that is listed on a student's birth certificate.**

If a student asserts to school officials that his or her gender is different from his or her biological sex and whose parent or legal guardian provides written consent to school officials, **the school district** shall **then** provide **the student** with the best available accommodation, but that accommodation shall not include the use of school restrooms, locker rooms, or shower rooms designated for use by students of the opposite biological sex while students of the opposite biological sex are present or could be present.

Acceptable accommodations may include but are not limited to access to single-stall restrooms or controlled use of faculty bathrooms, locker rooms, or shower rooms.

REFERENCE:

KRS 158.189

Adopted/Amended: 8/11/2023

Order #: 20372