

STUDENT PRIVACY AND MODESTY IN PUBLIC

EDUCATION

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor: _____

LONG TITLE

General Description:

This bill enacts provisions regarding a student's reasonable expectation of individual privacy and personal modesty in the public education system.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ enacts provisions regarding a student's reasonable expectation of individual privacy and personal modesty in the public education system, including:
 - prohibiting any requirement that a student undress in the presence of another individual; and
 - establishing options for local education agencies which constitute compliance regarding the prohibition.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

53G-9-214, Utah Code Annotated 1953



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-9-214** is enacted to read:

53G-9-214. Individual privacy -- Personal modesty.

(1) As used in this section:

(a) (i) "Changing facility" means a room in which two or more individuals may be in a state of undress in the presence of others.

(ii) "Changing facility" includes a dressing room, fitting room, locker room, changing room, or shower room.

(b) "Partial nudity" means that an individual's pubic region or chest are less than completely covered.

(c) "Restroom" means a room that includes one or more toilets or urinals.

(d) "Single-occupant facility" means a restroom or changing facility:

(i) with floor-to-ceiling walls;

(ii) with an entirely encased and locking door; and

(iii) that is designated for single occupancy.

(2) Each student in the public education system has a reasonable expectation of individual privacy and personal modesty.

(3) In accordance with Subsection (2), an LEA may not require, invite, or encourage a student to undress, change clothing, or otherwise be in a state of full or partial nudity in the presence of another individual, regardless of whether:

(a) the student is in a restroom or changing facility; or

(b) the other individual is an employee of the LEA.

(4) (a) An LEA is presumed to comply with Subsection (3) if the LEA ensures the availability of the following for students who choose to undress or change clothing in private:

(i) single-occupant facilities;

(ii) floor-to-ceiling walls and doors or similar privacy protections within changing facilities; or

(iii) curtains or similar privacy protections in changing facilities.

(b) Nothing in this section requires an LEA to make available a specific privacy accommodation described in Subsection (4)(a).

59 Section 2. **Effective date.**

60 This bill takes effect on July 1, 2024.