



# Memorandum

**To:** Trustees of Coeur d'Alene Public Schools  
**From:** Dr. Shon Hocker, Superintendent  
Dr. Mike Nelson, Deputy Superintendent  
Mr. Trent Derrick, Assistant Superintendent of Secondary Education  
Mrs. Patty Morrison, Assistant Superintendent of Elementary Education  
**Date:** March 9, 2023  
**Re:** Progress on Transgender Bathrooms and Library Materials

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This week has been busy with many inquiries received regarding two topics: transgender rights/bathroom privacy and library materials. Here's an update on both topics as of this morning:

## **Transgender Student Rights/Bathroom Privacy**

It was confirmed that a biological male who identifies as a female entered the girls' restroom on Tuesday at Coeur d'Alene High School. The administration was made aware of the incident immediately and did console the female student while offering access to the individual office restrooms in the future should she feel more comfortable.

Trent Derrick did contact the family that evening and listened to their concerns - ultimately that their daughter felt unsafe. Mr. Derrick let the family know that if the student was a male student simply using the female restroom, this would be a disciplinary issue, but if it was a transgender student, we were legally required to provide protection rights to the transgender student. He investigated the identity of the student with CHS admin and it was determined that in this instance, the student identified, with family approval, that she is a transgender student identifying as a female. Mr. Derrick followed up his investigation and contacted the family to explain the situation.

We did receive current legal guidance that Title IX of the Civil Rights Act and the 9th Circuit Court case "Parents for Privacy v. Barr" has been interpreted to give transgender students the right to use the bathroom of the gender to which they identify - in this case, the girls' bathroom. During the conversation, we also discussed the family's concerns about why their daughter would be offered to use a separate gender-neutral bathroom as opposed to the transgender student. While the transgendered student had been using an individual/private restroom previously, recently she felt more comfortable being in a public space.

We know this is a concern for many of our students, family, and community. We are anxiously awaiting Senate Bill 1100 which is expected to be voted upon very soon. If signed by the governor, this would create a state law regarding bathroom usage with clear guidance.

In the meantime, the Board is faced with multiple concerns and few options:

1. Follow legal recommendation - The recommendation is not to discriminate against students who identify as transgender, therefore we cannot dictate which bathroom they use. In turn, we accommodate all students who may be uncomfortable knowing a transgender student might use the same bathroom by offering them alternative bathroom access.
2. Not follow legal guidance and likely spend costly time and resources in court when sued by a civil rights group.

3. Create personal, private restroom facilities available to the entire student population. This will take financial resources.
4. Wait and see if S1100 makes it through the legislation.

Administration is following legal recommendations at this time.

### **Library Materials**

We received emails from Mrs. Erika Doud, who has challenged several titles available in our middle and high school libraries, including the following:

Title	Author	Copyright Date	OUT OF 5		
			<a href="#">BookLooks Ratings</a>	<a href="#">Common Sense Media Rating</a>	<a href="#">GoodReads Rating</a>
A Court of Thorns and Roses	Maas, Sarah	2015	4	4	4
A Court of Mist and Fury	Maas, Sarah	2016	4	4	5
Allegedly	Jackson, Tiffany	2017	3	4	4
Crank	Hopkins, Ellen	2004	3	4	4
Eleanor and Park	Rowell, Rainbow	2013	3	5	4
Extremely Loud Incredibly Close	Safran-Foer, Jonathan	2006	3	4	4
Identical	Hopkins, Ellen	2010	4	2	4
Fade	McMann, Lisa	2009	3		4
Fallout	Hopkins, Ellen	2010	3	4	4
I'll Give You the Sun	Nelson, Jandy	2014	3	5	4
Looking for Alaska	Green, John	2005	3	4	4
The Hate U Give	Thomas, Angie	2018	3	5	5
The Perks of Being a Wallflower	Chbosky, Stephen	2012	4	4	4
Tricks	Hopkins, Ellen	2009	5	3	4
When Jeff Comes Home	Atkins, Catherine	1999		4	4

Most of these books have been available for students for over 10 years and we do not have documented complaints pertaining to them. We have, however, removed the copies available from circulation at each building pending review. It is important to note that there are many sites that review and rate books for appropriateness. We are also reviewing feedback from Common Sense Media and Good Reads in addition to the ratings and feedback from BookLooks as part of the discernment process.

When a complaint about instructional materials is received in writing by the Superintendent, we employ [Board procedure 2530P](#) and initiate a formal review. We have also provided a copy of form [2530F](#) to Mrs. Doud which provides the specific objections to be considered in the review as required in policy.

Titles will be reviewed by a diverse review and advisory committee who will review each title and provide a recommendation to the Superintendent identifying whether the challenged resources should be kept or removed. The committee guidelines are outlined within the procedure.