



Written by [Dave Bohon](#) on July 31, 2013

DOJ Forces School to Allow “Transgender” Girl to Use Boys’ Restroom

A California school district has agreed to revise its policies and allow a female student who is “transitioning” to the male gender to use the boys’ locker rooms and restrooms at her school. The Arcadia Unified School District caved in to the demands of the unnamed student’s family only after the U.S. Department of Education intervened in the case, using the muscle of the Department of Justice to force the district to supposedly comply with the federal Title IX anti-discrimination law, an update to the 1964 Civil Rights Act.



On July 23, the school district signed on to an “agreement” with the Department of Education and the DOJ ensuring that the girl who identifies as a boy “will be treated like other male students while attending school in the district,” read a DOJ statement.

The Pasadena, California, [Star-News](#) reported that the student’s parents filed a complaint with the DOJ and the Education Department’s Office for Civil Rights after the district informed the student’s family that “their child — a girl who identified as a boy — would be required to stay in a cabin with an adult chaperone or a parent and not with classmates during a popular overnight camping trip for seventh-grade students.” The child had already begun publicly identifying with the male gender in dress and hair style.

The complaint alleged that the school district prevented the student from using the boys’ restroom and locker room at her school during the sixth and seventh grade. Instead, the child was required to use a restroom in the nurse’s office. While the girl’s parents initially agreed to the arrangement, they changed their minds and filed the complaint as their child grew unhappy over the attention that was being drawn toward her.

According to the DOJ report, the girl’s family began a gender transition process for their daughter after she was “teased and socially ostracized” by classmates over “his masculine clothing and hairstyle, which did not conform to female stereotypes.” One student reportedly even referred to her as “it,” the DOJ report recalled.

As she transitioned to a male identity, reported the DOJ, the student “adopted a new, traditionally male first name, expressed a desire to be referred to with masculine pronouns, and continued outwardly to present as a male, including in his clothing and hairstyle.”

While her classmates ultimately accepted the student’s new look and stopped harassing her, the DOJ investigation found, the school apparently continued to treat her differently.

“There is no dispute the district treated the student differently than other students because of his gender identity,” the DOJ and Education Departments said in a letter to the district. School officials explained that they took the measures they did because of “concerns related to the safety and privacy of



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the student and other students.”

While admitting no fault in the case, the school district nonetheless bowed to demands from the DOJ and federal education bureaucrats to work with a gender consultant to create an environment that will not make “transgender” students feel different or awkward.

Additionally, reported the Pasadena *Star-News*, the district agreed to “amend its policies to reflect that gender-based discrimination is a form of discrimination based on sex and train administrators and faculty on preventing gender-based discrimination.

Most importantly, the district agreed to treat the young lady, who will be in ninth grade this fall, as a boy in all school activities, and to keep her “transgender” status a secret from other students and parents.

In a prepared statement the student said she was “glad that my school district has agreed to put in place the protections that I, and other transgender students, need to feel safe and welcome in school. Knowing that I have the school district’s support, I can focus on learning and being a typical high school student, like my friends.”

Regarding the agreement, a DOJ spokesman declared that “all students, including transgender students, have the right to attend school free from discrimination based on their sex. We commend the district for taking affirmative steps to ensure that this student and his peers can continue to learn and thrive in a safe and nondiscriminatory environment.”

Asaf Orr, an attorney with the National Center for Lesbian Rights, which represented the girl and her family, said that the family was “very excited and relieved” by the agreement. “One of the major motivating factors with them going forward is they wanted to be assured their child was going to be protected going through the rest of his time in Arcadia,” said Orr.

David Vannasdall, assistant superintendent of the Arcadia Unified School District, put the best face he could on the awkward agreement, saying that school officials “are pleased with the collaborative agreement we have worked out with the Department of Justice. We feel it is a reasonable agreement, and we feel it will allow the school to move forward in its mission to support all students.”

But some conservative family groups expressed their concerns, pointing out that the DOJ essentially steamrolled the district into submission. Randy Thomasson, president of SaveCalifornia.com, targeted Attorney General Eric Holder for ramping up the issue into a civil rights complaint. “Eric Holder needs to reread the Civil Rights Act of 1964 and find out that civil rights are based on an unchangeable, immutable characteristic,” Thomasson told [Fox News](#). “You cannot change your genes or your gender. You have chromosomes and they are either XX or XY. This is a girl who has been environmentally warped to believe she is a boy, and, instead of coddling this confused child, her parents should have gotten her into counseling with an expert on gender confusion.”

Bob Tyler, an attorney at Advocates for Faith and Freedom, argued that the federal bureaucrats had no business sticking their nose into the situation, and in the process impacting the lives of other students. “It is definitely a situation where we have compassion for that child and the child needs help,” Tyler told Fox News. “But you can’t ignore the rights under the constitution of California, and arguably under the United States Constitution, of all the other students of the school.”

Andrea Lafferty of the California-based Traditional Values Coalition, noted that the Arcadia case represents a troubling national trend throughout public schools in which “we have individuals who are



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psychologically unhealthy who are always getting what they want, but what do you do about the hundreds of other children in the school?"

[The New American](#) reported on one high-profile example of this trend, in which a Colorado civil rights body ruled that an elementary school near Colorado Springs discriminated against a six-year-old boy who identified as a girl because school officials refused to allow him to use the girl's restroom at the school.

"Given the evolving research into the development of transgender persons, compartmentalizing a child as a boy or girl solely based on their visible anatomy is a simplistic approach to a difficult and complex issue," read the report by the Colorado Civil Rights Division in its decision against the school district. The report went on to criticize school officials for forcing the boy to "disregard her identity" when using the restroom. Their actions "also deprived her of the social interaction and bonding that commonly occurs in girls' restrooms during these formative years, i.e., talking, sharing, and laughter," the report continued. Telling the young boy "that she must disregard her identity while performing one of the most essential human functions constitutes severe and pervasive treatment, and creates an environment that is objectively and subjectively hostile, intimidating, or offensive," the report read.

As for the decision in the Arcadia case, [CBS News](#) noted that it came "less than a month after California lawmakers approved a bill that would require public K-12 schools to let transgender students choose which restrooms they use and which school teams they join based on their gender identity instead of their chromosomes."



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