



Written by [Dave Bohon](#) on July 27, 2018

Federal Judge Rules Normal Kids Must Share Restroom With “Transgender” Students

A federal judge has dismissed a lawsuit against a school district in Oregon that allows students who identify as “transgender” to use locker rooms and restrooms of the gender with which they supposedly identify, rather than compelling them to use facilities of their biological sex.

A group of parents whose children attend the high school in Dallas, Oregon, had filed the lawsuit in an effort to overturn the policy, charging that it causes “embarrassment, humiliation, anxiety, intimidation, fear, apprehension, and stress” for students forced to share facilities with students of the opposite sex.



In a [nearly 60-page decision](#), U.S. District Judge Marco Hernandez sided with transgender students, ruling that the normal high-school students “do not have a fundamental privacy right to not share school restrooms, lockers, and showers with transgender students whose biological sex is different than theirs.”

To the chagrin of parents whose children attend schools in Oregon, Hernandez insisted: “The potential threat that a high school student might see or be seen by someone of the opposite biological sex while either are undressing or performing bodily functions in a restroom, shower, or locker room does not give rise to a constitutional violation.”

The Oregon franchise of the American Civil Liberties Union (ACLU) partnered with Basic Rights Oregon, a homosexual activist group, to battle the lawsuit, which was prompted after the Dallas school district decided that “transgender” student Elliot Yoder, a female who identifies as a male, was free to use the boy’s restrooms at the high school. While the school has a gender-neutral bathroom that Yoder used for changing before her gym class, she decided that she wanted to use the boys’ locker room because it was closer.

Brook Shelley of Basic Rights Oregon said that her group was “thrilled” with the bizarre decision. “It sends a clear message to school districts that transgender students deserve the same access to a safe and affirming education as every other student,” she said.

Colleen Yeager, a Dallas-area mom whose seven-year-old daughter apparently identifies as a boy, was similarly thrilled, applauding the school district for facilitating her child’s out-of-the-box behavior at the expense of other parents’ children. “My son is able to thrive in school because he has received, and continues to receive, the kind of support he does from his teachers, school administration, and school community,” Yeager said of the bathroom decision. “Their support has been instrumental in his ability to be himself, to just be a kid, and to be a productive, attentive student, and classroom contributor.”



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In court papers, attorneys for Parents for Privacy, one of the groups that had filed the lawsuit, argued that parents have a “duty to instill moral standards and values in their children,” and pointed out the obvious issue of modesty that many students might face when confronted with having to share restroom or locker room facilities with their gender-confused peers. “These students have the sincere religious belief that they must not undress, or use the restroom, in the presence of the opposite biological sex,” the attorneys argued, “and also that they must not be in the presence of the opposite biological sex while the opposite biological sex is undressing or using the restroom.”

Judge Hernandez said that for those parents who have a problem with boys in girls’ locker rooms (and vice versa), they are free to send their children to a different school. “It is within their right to remove their children from Dallas High School if they disapprove of transgender student access to facilities,” Hernandez wrote in his ruling.



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