



Written by [Dave Bohon](#) on June 25, 2013

Colo. Civil Rights Body Rules Six-Year-Old Boy Can Use Girls' Restroom

A Colorado civil rights body ruled that an elementary school in Fountain, near Colorado Springs, discriminated against a six-year-old boy who identifies as a girl because school officials refused to allow him to use the girl's restroom at the school. A report from the Colorado Civil Rights Division condemning the actions of officials at Eagleside Elementary School was released June 23 by an attorney working with the parents of first grader Coy Mathis (shown, in red), who insist that their young son has identified as a female since an early age.



[Reuters News](#) reported that the “transgendered” child had been allowed to use the girls' restroom at the school until late in 2012, when the principal informed his parents that he would have to use the boys' restroom or a unisex staff restroom. The parents ultimately withdrew their son from the school and promptly filed a discrimination complaint with the state.

The civil rights body's report, signed by director Steven Chavez, said the Fountain-Fort Carson school district violated a state law that protects the rights of “transgendered” people. “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. It went on to criticize school officials for forcing Coy 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.

Michael Silverman of the Transgender Legal Defense and Education Fund, which filed the complaint on behalf of the family, was predictably pleased with the ruling against the common-sense actions of the school officials, declaring that it “sends a loud and clear message that transgender students may not be targeted for discrimination and that they must be treated equally in school.”

Silverman noted that the decision by the Colorado discrimination authorities “is the first ruling in the nation that holds that transgender students be allowed to use bathrooms that match who they are.” He claimed that there are “thousands of families like the Mathises who are feeling relieved and vindicated that the commission ruled that Coy is a girl just like any other girl.”

In a statement before the ruling the school district said that the Mathis family had been unwilling to meet with school officials to discuss “reasonable proposals” to resolve the conflict. “The parents



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consistently indicated ... that they would file a discrimination charge if the district did not completely acquiesce to their demands," the statement said.

Following the ruling the district released a statement saying that school officials had "carefully considered the best interest of all children in the District, including Coy," in their decision to allow Coy to use one of the several gender-neutral restrooms near his classroom. "We are disappointed with this opinion because it not only failed to address conflicts between statutory and regulatory provisions raised by the District, but failed to appreciate the unique circumstances that school districts must consider when faced with such situations," the statement said.

Responding to the ruling, the boy's mother, Kathryn Mathis, insisted that all she and her husband "ever wanted was for Coy's school to treat her the same as other little girls. We are extremely happy that she now will be treated equally." Added the mother: "We knew that this was discrimination. So it was validating to get the state to say 'Yes, it is very clearly harassment,' and they were doing something they shouldn't have been doing."

Mrs. Mathis added that when she told Coy the news, "she got this giant smile and her eyes bugged out. She said, 'So I can go to school and make friends?'"

Peter Sprigg of the conservative Christian [Family Research Council](#) had a more traditional take on the ruling, saying it was "outrageous" that the state civil rights body had decided "the aberrant feelings of one individual are to be placed above the legitimate concerns of the vast majority of children."

Sprigg told the [Christian Post](#) that the school was "exceedingly generous in affirming a lie by referring to a biological male as a 'girl' and allowing that child to dress as a girl. Astonishingly, even this generous accommodation did not satisfy the Transgender Legal Defense and Education Fund.... These activists have placed their radical social and political agenda ahead of the well-being of all the remaining students in the school."

Photo of Coy Mathis: AP Images



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