



Boyertown Area School District v. Doe, 890 F.3d 1124 (3rd Cir. 2018)

Topics Covered: Lesbian Gay Bisexual Transgender and Queer (LGBTQ) Rights

Outcome: Very Favorable

Issue

The issue in this case was whether a school district's decision to allow transgender students to use bathroom facilities consistent with their gender identities violated cisgender students' right to privacy and their right of access to a non-hostile educational environment under Title IX of the Education Amendments of 1972.

AMA Interest

The AMA opposes policies preventing transgender individuals from accessing basic human services and public facilities in line with one's gender identity, including, but not limited to, the use of restrooms.

Case Summary

Boyertown Area School District, located in southeastern Pennsylvania, allows transgender students to use bathrooms and locker rooms consistent with their gender identities. Some of the cisgender students sued and moved to preliminarily enjoin the school district from continuing to allow transgender students access to facilities consistent with their gender identities. The cisgender students claimed, *inter alia*, that the school district's decision violated their right of privacy and their rights under Title IX. The trial court determined that the plaintiffs were unlikely to succeed on the merits and denied their motion for preliminary injunction. The cisgender students appealed.

On May 24, 2018, the Third Circuit summarily affirmed the trial court ruling.

AMA Involvement

The AMA, along with other medical societies, joined an *amicus* brief to support the school district before the Third Circuit. The brief pointed out the deleterious medical effects on transgender students who are prevented from using bathroom facilities in line with their gender identities.

United States Court of Appeals for the Third Circuit brief