

Policy #: 731.1

SCHOOL DISTRICT OF WEBSTER

Date Adopted: April 25, 2022

Date Revised:

Policy Title: Privacy in Locker Rooms

Students, school employees and other persons present on school property shall respect and protect the privacy interests of individuals who are using a locker room, restroom or other designated changing area. Students or employees who violate this policy, or any related rules or directives, shall be subject to school disciplinary action and possible legal referral. Other persons violating this policy may lose the privilege of using District facilities, may be referred to law enforcement and/or may be subject to penalties provided under applicable law.

In keeping with the District's objective of taking reasonable measures to protect the privacy interests of persons who are using a locker room, restroom or other changing area for an authorized purpose, all persons present on school property shall, at a minimum, observe the following measures:

1. The use of recording and other electronic devices is substantially restricted in locker rooms, restrooms and other designated changing areas.
 - a. No person may use a camera, video recorder, cell phone or any other device with recording capabilities at any time to capture, record, transmit or transfer an image or representation of an undressed or partially undressed person who is in any locker room, restroom or other designated changing area.
 - b. No recording function (photographic, video, audio) of any type of device may be used in any non-emergency situation in such facilities at any time unless (1) the individual has received the prior permission of the District Administrator, building principal, or other District-designated facility supervisor; and (2) any person being recorded has consented to the recording. Such permission shall not be exercised when persons who are present in the facilities are actively using the area as a changing area, shower facility and/or restroom.
 - c. In order to avoid any appearance of a violation of privacy or other impropriety, individuals present in such facilities are expected to restrict their use of the non-recording functions of any communications device or other multi-function device to (1) emergencies; or (2) situations where they have received the prior permission of the District Administrator, building principal, or other District-designated facility supervisor. That is, with these limited exceptions, voice calls, texting, etc. should not be occurring in such facilities.
2. No person shall view or attempt to view from any concealed location, or in an otherwise secret or hidden manner, an undressed or partially undressed person who is using a locker room, restroom or other changing area.

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3. Loitering in a locker room, restroom or other designated changing area is prohibited.
4. No media is allowed access to locker rooms before, during or after any school athletic event or practice. Coaches and student athletes may be available for interviews outside the locker rooms, consistent with District policy and school rules.
5. When District employees or other District-designated individuals enter a locker room, restroom or other designated changing area in order to exercise their supervisory responsibilities (including any exchange of information with persons using the locker room), they shall exhibit due regard for the privacy of the individuals who may be using such facilities, including recognizing that the relevant privacy interests are heightened when an individual has a supervisory need to enter a facility designated for use by persons of the opposite sex.

Nothing in this policy shall be interpreted to prohibit coaches and other athletic-team personnel from being present in a locker room, whether of same sex or of the opposite sex, in circumstances where the presence of such individuals would not compromise the privacy interests of student athletes or other persons who may be using the facility, such as during pre/post-game team meetings, halftime meetings, or other similar circumstances.

A notice of the restrictions applicable to the use of recording devices shall be posted at the entrance to each locker room in District buildings. Students shall be informed of this policy, or a summary of relevant portions thereof, in the student handbook.

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Legal References

Wisconsin Statutes

Section [access to school district buildings]
120.13(35)

Section 175.22 [locker room privacy policy required]

Section 942.08 [invasion of privacy]

Section 942.09 [representations depicting nudity]

Section 995.50 [right of privacy; generally]