
May 20, 2016

DEAR SUPERINTENDENTS AND PRINCIPALS:

You have by now most likely received the Dear Colleague letter from the U.S. Departments of Justice and Education on civil rights of transgender students. While opinions on this matter vary greatly, one undeniable truth is that sweeping, unanticipated federal mandates with no implementation time frame cause great consternation at the state and local level. As a result of the predicament you have been put in, I want to do all I can as your State Superintendent to help guide us through the challenge before us.

First and foremost, what disheartens me the most about the federal government's edict is that it fails to acknowledge the efforts and accommodations that you, the leaders actually in our schools with our students every day, have been providing to our students for years. I urge you to continue to protect the rights of all students with carefully drafted policies and practices that ensure a safe school environment.

The guidance is in its infancy and raises numerous legal, practical, and philosophical issues. While those issues are being sorted out in various ways, we must continue to do our best to provide a safe and nondiscriminatory environment to Wyoming's transgender students.

I want to point out a couple of items in the Dear Colleague letter to help you navigate the implementation of this guidance:

- Offering individual-user options to all students who voluntarily seek additional privacy is still permissible;
- There is significant state and local discretion involved in evaluating the appropriateness of participation in sex-segregated athletic competition;
- Voluntary requests for single-occupancy overnight accommodations are permissible.

I will be fully engaged in discussions on this topic at the national, state, and local level and keep you all apprised of any developments. At the moment, I am working in concert with Governor Mead to set up stakeholder meetings on the topic.

Thank you for what you do for our state and our youth. You are the keepers of our future, and your decisions ensure the success of all of our students.

Sincerely,



Jillian Balow, Superintendent of Public Instruction

Enclosure