

16.99.99.H1.01 Designation and Use of Private Spaces Based on Sex

Approved: 12/10/2025
Next Scheduled Review: December, 2030



Procedure Summary

This rule provides guidance on the designation and use of private spaces based on sex, as defined in Texas Government Code, Title 10, Subtitle Z, Chapter 3002, also known as the Texas Women’s Privacy Act. The rule applies to all members of the Texas A&M University-Texarkana (A&M-Texarkana) community, including students, faculty, staff, contractors, and visitors, and governs the use of university private spaces in buildings that are owned, operated, or controlled by A&M-Texarkana.

Definitions

Female - an individual who naturally has or will have or had or would have but for a congenital anomaly or an intentional or unintentional disruption, a reproductive system designed to produce, transport, and provide eggs for fertilization.

Male - an individual who naturally has or will have or had or would have but for a congenital anomaly or an intentional or unintentional disruption, a reproductive system designed to produce, transport, and utilize sperm for fertilization.

Multiple-occupancy private space - a facility designed or designated for simultaneous use by more than one individual and in which an individual may be in a state of undress in the presence of another individual, regardless of whether the facility provides curtains or partial walls for privacy. The term includes a restroom, locker room, changing room, or shower room.

Sex - an individual's biological sex, either male or female

Single-occupancy private space - a facility designed or designated for use by only one individual at a time and in which the individual may be in a state of undress. The term includes single-occupancy restrooms, locker rooms, changing rooms or shower rooms, and single occupancy sleeping quarters.

Rule

1. GENERAL

- 1.1. Multiple-occupancy private spaces, specifically restrooms, locker rooms, changing rooms or shower rooms, will be designated for use only by individuals of one sex, male or female. The University may change the designation of a multiple- or single-occupancy space with appropriate notice and signage.
- 1.2. All members of the University community, including faculty, staff, students, contractors and visitors, are expected to only enter the multiple-occupancy private space corresponding to their sex, as defined, unless meeting one of the exceptions outlined in Section 4.

2. REQUIREMENTS

2.1. Private Space Designation

- 2.1.1. Private spaces must be properly designated with designation signage posted on or in close proximity to the entrance of the private space.
- 2.1.2. Single-Occupancy Private Spaces owned, operated, or controlled by A&M - Texarkana may be designated as either male, female or unisex.
- 2.1.3. Multiple-Occupancy Private Spaces owned, operated, or controlled by A&M - Texarkana must be designated for use only by individuals of one sex.
- 2.1.4. Designated private spaces will be identified on the University's official online campus maps.

2.2. Athletics and Recreational Facilities

- 2.2.1. Multiple-occupancy private spaces that are part of an athletic and/or recreation facility and are intended for use by athletic or other single-sex teams who are participating in a competition, sporting event or utilizing the facility for practice must be designated for use by the designated sex of the team, male or female, that is scheduled to use the facility for a sporting event or practice.
- 2.2.2. To ensure that individuals of the opposite sex do not inappropriately enter multiple-occupancy private spaces, University staff with authority over the impacted space will ensure that home and visiting teams are made aware of sex and private-space designations and of this policy.
- 2.2.3. A multiple-occupancy private space may be temporarily designated as a non-private space. Temporary re-designation of a space may be warranted for

coaching, athlete pre- or post-event medical care, media interviews, development, recruiting, or other instances approved by the Director of Athletics, Associate Director of Athletics for Operations, or Associated Director of Athletics for Compliance as applicable, in consultation with the Office of Ethics and Compliance.

- 2.2.4. To ensure the privacy of athletes and others is respected, A&M-Textarkana will adopt, document, and follow a clear protocol to ensure that no one is in a state of undress and occupants are placed on clear notice that the space is in a non-private status. Temporary signage must be posted at or near the entrance of the space during these times.

3. PROHIBITIONS

- 3.1. The use of a multiple-occupancy private space by an individual whose sex is opposite to the sex-designation of the private space is prohibited, unless the use meets an exception or an accommodation outlined in Section 4.
- 3.2. Those in violation of this regulation are subject to disciplinary action up to and including expulsion for students, termination for employees, and criminal trespass for contractors and visitors.
- 3.3. The use of electronic or other devices to make an audio, video, still frame or photographic record of any persons without their prior knowledge, or without their effective consent when the person or persons being recorded have a reasonable expectation of privacy and/or such recording is likely to cause injury or distress is prohibited. Such a recording may constitute a criminal offense under Texas Penal Code § 21.15. *Invasive Visual Recording*.

4. EXCEPTIONS

Certain individuals may enter private spaces designated for a particular sex for the purpose of:

- Providing custodial services
- Performing maintenance
- Inspecting facilities
- Providing medical or other emergency assistance, which includes medical assistance provided by athletic trainers, team physicians or other medical personnel designated by the institution to provide such services
- Accompanying an individual who needs assistance using the facility
- Performing law enforcement duties
- Rendering assistance to prevent a serious threat to order or safety

5. ACCOMMODATIONS

- 5.1. A qualified individual with a disability may request reasonable access and use accommodation in accordance with this rule.
- 5.2. Children under nine years of age who are accompanied to a bathroom by an adult are exempt from this rule.
- 5.3. Certain individuals who do not fall within the binary sex definitions included in this rule may use private single-occupancy or family bathrooms as alternatives.

6. REPORTING VIOLATIONS

- 6.1. Potential violations of this policy should be reported to the Office of Ethics and Compliance at compliance@tamut.edu or by calling 903-334-6755 or via an [Ethics Point](#) report.
- 6.2. Employees who are notified or otherwise become aware of a suspected violation of this policy must notify the Office of Ethics and Compliance promptly. Notifications may be sent to compliance@tamut.edu or by calling 903-334-6755 and should include as much detail as possible, including:
 - information about the location, date, and time of the alleged violation
 - the identities of all known individuals associated with the report
 - how the alleged violation was addressed or will be addressed
 - in the case of no action, the rationale for this decision.
- 6.3. Suspected violations of this policy will then be referred by Ethics and Compliance to the following areas for additional review:
 - 6.3.1. Faculty reports will be directed to the Office of the Provost
 - 6.3.2. Student reports will be directed to the Office of Student Life
 - 6.3.3. Staff and third-party reports will be directed to the Human Resources department.

Related Statutes, Policies, or Requirements

[Texas Gov't Code Title 10, Subtitle Z, Chapter 3002 *Regulation of Individuals in Certain Spaces and Facilities According to Sex*](#)

[Texas Edu. Code, § 51.209, *Unauthorized Persons; Refusal of Entry, Ejection, Identification*](#)

Texas Penal Code § 21.15. Invasive Visual Recording

TAMUT Student Code of Conduct

Contact Office

Ethics and Compliance
903-334-6755

Approved:

Signed by:



12/10/2025


Ross C. Alexander, Ph.D.
President, Texas A&M University-
Texarkana

Date