February 2025

Ohio Christian University

Policy for Compliance with Senate Bill 104

1. **Purpose**
    a. This policy complies with Ohio Rev. Code Sec. 3345.90[1] and is meant to provide clarity on the use of restrooms, locker rooms, changing rooms, and shower rooms at Ohio Christian University.
2. **Definitions**
    a. **Biological Sex** means the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender. An individual may use the individual's official birth record[2] to prove biological sex if the birth record was issued at or near the time of the individual's birth.[3]
    b. **Family Facility** means a family restroom or shower room that does not have more than one toilet or shower.[4]
    c. **Multi-Occupancy Facility** means a restroom, locker room, changing room, or shower room that is accessible to multiple individuals at the same time. "Multi-Occupancy Facility" does not include a family facility.[5]
3. **Use of a Multi-Occupancy Facility**
    a. **Use**. The College does not construct, establish, or maintain Multi-Occupancy Facilities that are designated as nongendered, multigendered, or open to all genders, regardless of who uses the facility.[6]
        i. **Male-only bathrooms**. Only individuals of the male biological sex can use a Multi-Occupancy Facility that has been designated by the school for the exclusive use of the male biological sex. A member of the female biological sex cannot use a male-only bathroom.
        ii. **Female-only bathrooms**. Only individuals of the female biological sex can use a Multi-Occupancy Facility that has been designated by the school for the exclusive use of the female biological sex. A member of the male biological sex cannot use a female-only bathroom.

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[1] [(C) Nothing in this section shall be construed to prohibit an institution of higher education from establishing and enforcing a policy on the use of a multi-occupancy facility. Any policy adopted by an institution of higher education in accordance with this section shall provide an option for alternative accommodations, including, but not limited to, the use of single-occupancy facilities or faculty facilities. Pursuant to SB 104 https://search-prod.lis.state.oh.us/api/v2/general_assembly_135/legislation/sb104/06_EN/pdf/]

[2] [As defined in Ohio Rev. Code 3705.01, "Birth record" means a birth certificate that has been registered with the office of vital statistics; or, if registered prior to March 16, 1989, with the division of vital statistics; or, if registered prior to the establishment of the division of vital statistics, with the department of health or a local registrar.]

[3] [Sec. 3319.90. (A)(1)]

[4] [Sec. 3319.90. (A)(2)]

[5] [Sec. 3319.90. (A)(3)]

[6] [Sec. 3345.90(B)(3)]

b. **Signage**. The College will designate with clear signage each Multi-Occupancy Facility for the exclusive use by students of the male biological sex only ("Men") or by students of the female biological sex only ("Women").
c. **Use exceptions.** Individuals of one biological sex are prohibited from entering a Multi-Occupancy Facility of the opposite biological sex, unless under these limited circumstances mandated by Ohio law:
    i. A child under the age of ten who is being assisted by a parent, guardian, or family member, as well as the parent, guardian, or family member who is assisting the child;
    ii. A person with a disability who is being assisted by another person, as well as the person providing assistance to the person with a disability;
    iii. An employee of the institution of higher education whose job duties require the employee to enter a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the employee's biological sex;
    iv. A person who enters a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the person's biological sex because the person reasonably believes the person is responding to a legitimate emergency.

4. **Athletics Competitions.**
    a. **Assigned Visiting Locker Rooms.** During athletic competitions, visiting teams will have access to an assigned locker room – either a Multi-Occupancy Facility or a classroom. On the outside of the assigned locker room door, there will be a clear sign with the (1) name of the school and sports team printed in color and (2) language showing which biological sex (male or female) may use the locker room ("Visiting Team Signage"). Our Athletic Director, Allysa Coyle, will be responsible for Visiting Team Signage. Each locker room will have proper Visiting Team Signage for the duration of the athletic event.
        i. **Multi-Occupancy Facility as Visiting Locker Room.** A Multi-Occupancy Facility permanently designated for one biological sex may need be used by a visiting team of the opposite sex.
        ii. **Classroom as Visiting Locker Room.** A classroom may need to be used by a visiting team as a locker room.
    b. **Employees of the Opposite Sex of the Team Using Visiting Team Locker Rooms**. There may be instances where a visiting team employee or representative (e.g., coach) may need to enter an assigned locker room that is designated for a biological sex that is different than the employee's biological sex. The Athletic Director or their designee will be responsible for temporarily designating the assigned locker room as a meeting room and visiting team employees and representatives, regardless of biological sex, will have access to the room for purposes of meeting with the visiting team.
5. **Use of a Family Facility ("Single Occupancy Facility")**
    a. **Use**. Any individual (e.g., student, faculty, staff, community member, etc.) can use a Single Occupancy Facility. For more information about the location of Single Occupancy Facilities, please contact Todd Stevens, Director of Operations: tstevens@ohiochristian.edu.
    b. **Signage**. The College will designate with clear signage each Single Occupancy Facility as "Single Occupancy Facility".

6. **Alternative accommodations**. Students seeking an accommodation related to the use of restrooms, changing rooms, locker rooms, shower rooms under the Americans with Disabilities Act or Section 504 because of a qualifying disability should contact David Pennington, 504 Compliance officer: dpennington@ohiochristian.edu.
7. **Contact for Additional Information and for Reporting Concerns.** Questions about this Policy or about its implementation should be directed to the following: Title IX Coordinator, titleix@ohiochristian.edu.