

## 34.01.99.T1 Multiple-Occupancy Private Space Designation and Use

Approved: March 18, 2026  
Next Scheduled Review Date: March 18, 2031



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### Rule Summary

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This rule provides guidance on the designation and use of private spaces based on sex, as defined in Texas Government Code, Title 10, Chapter 3002. The rule applies to all members of the University 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 Tarleton State University (Tarleton State), its branch campuses and other teaching/research locations.

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### Definitions

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

Multiple-occupancy private space means 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. This includes multiple-occupancy restrooms, locker rooms, changing rooms, or shower rooms.

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

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

Sex-designated space is a space explicitly reserved for use by individuals of one sex (male or female as defined by this rule) and not the other.

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## Rule

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### 1. GENERAL

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.

### 2. DESIGNATION REQUIREMENTS

#### 2.1. Private Space Designation

- 2.1.1. Private spaces must be properly designated with university-approved 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 Tarleton State may be designated as either male, female, or unisex.
- 2.1.3. Multiple-occupancy private spaces owned, operated, or controlled by Tarleton State must be designated for use only by individuals of one sex.

#### 2.2. Athletics and Recreational Facilities

- 2.2.1. Multiple-occupancy private spaces that are part of an athletic and/or recreational 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.
  - 2.2.1.1. In an attempt 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 home and visiting teams are made aware of this policy.
  - 2.2.1.2. 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 Athletic Director or Director of Recreational Sports, as applicable, in consultation with the Assistant Vice President for University Compliance, Audit, Risk, Environmental, and Safety.

2.2.1.3. In an attempt to ensure the privacy of athletes and others is respected, clear protocol must be adopted, documented, and followed by the applicable unit 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. Employees who aid or facilitate others in their willful violation of this rule may face disciplinary action.
- 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 AND ACCOMMODATIONS

- 4.1. Certain individuals may enter private spaces designated for the opposite sex for the purpose of:
  - 4.1.1. providing custodial services;
  - 4.1.2. performing maintenance;
  - 4.1.3. inspecting facilities;
  - 4.1.4. 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;
  - 4.1.5. assisting an individual who needs assistance using the facility;
  - 4.1.6. performing law enforcement duties; or
  - 4.1.7. rendering assistance to prevent a serious threat to order or safety.

## 4.2. Individuals with a Disability

- 4.2.1. A qualified individual with a disability may request reasonable accommodation by contacting the [Office of Student Accessibility Services](#).
- 4.2.2. A qualified employee with a disability may request reasonable accommodation in accordance with Tarleton State Standard Administrative Procedure (SAP) *08.01.02.T0.02, Reasonable Workplace Accommodation*.
- 4.2.3. Guests to the university who may be required to assist an individual under their care in using a facility is permissible as referenced in section 4.1.5.

## 4.3. Young Children

- 4.3.1. A child nine years of age or younger may enter a multi-occupancy private space designated for the opposite sex of the child when accompanied by an individual caring for the child.

## 5. REPORTING VIOLATIONS

- 5.1. University employees who are made aware of a potential violation of this rule must submit a [Tarleton Civil Rights Reporting Form](#) within one business day. Non-employees may report potential violations of this rule by submitting a [Tarleton Civil Rights Reporting Form](#) or by email to [civilrights@tarleton.edu](mailto:civilrights@tarleton.edu).
- 5.2. Violations of this rule may result in corrective or disciplinary action as prescribed by system policies and regulation, as well as university rules and standard administrative procedures.

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### **Related Statutes, Policies, or Requirements**

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[Tex. Gov. Code, Title 10, Ch. 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](#)

[Tarleton State SAP 08.01.02.T0.02, Reasonable Workplace Accommodation](#)

[Student Rules](#)

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**Contact Office**

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