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# Transgender Jordan School District student speaks out as adults discuss school restroom use


“I just want the space and acceptance to be me,” the student said.



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(Rick Egan | The Salt Lake Tribune) Jesse Sirivanchai speaks at the Jordan School District board meeting with 11-year-old Alison by his side, on Tuesday, Sept. 26, 2023.

By Carmen Nesbitt | Sep. 27, 2023, 7:28 a.m. | Updated: 11:30 a.m.

 Comment

Fox Hollow Elementary School student Alison Sirivanchai approached the microphone at Tuesday night's Jordan School District board meeting with her father, Jesse, at her side.

The 11-year-old wore a blue dress with pink and white flowers as she stood before the room of adults, including other students' parents and Utah State Board of Education board member Natalie Cline. The adults had come to the meeting to demand that the district prevent transgender students such as Alison from using school restrooms that align with their gender identity.

"I just want the space and acceptance to be me," Alison said. "As far back as I can remember, I always chose dresses, makeup, wigs and dolls."



Most adults who addressed district officials during the meeting expressed concern about potential safety issues if "biological boys" were allowed access to a girls' restroom.

In a statement, Jordan School District officials said this week that transgender students are allowed to use any restroom that aligns with their gender identity, in accordance with Title IX federal law.

“The district works with individual families to provide a safe and welcoming environment for every student,” spokesperson Sandra Reisgraf said. “Anyone with concerns on any issue at a school is encouraged to reach out to the school principal.”

(Rick Egan | The Salt Lake Tribune) Kaylee Nielson shows support for Alison Sirivanchai as Alison sits with her dad, Jesse Sirivanchi, at the Jordan School District board meeting on Tuesday, Sept. 26, 2023.

In front of the crowded room, Alison said Tuesday that when her “loving mom” first curled her hair, “I looked in the mirror [and] I wanted to cry, because I saw not the person I was supposed to be, but the person I am.”

“Because when I imagined myself as a grown human,” continued Alison, “I see a woman dancing in a white dress through a meadow of flowers. And when I see that, I know that’s who I am.”

Title IX prohibits, with certain exceptions, any entity that receives “federal financial assistance” from discriminating against individuals on the basis of sex in educational programs or activities.

Cline argued the district is misinterpreting the law.

“There are efforts underway to force a radical new interpretation of Title IX that is already undoing the physical protections put in place for ‘biological girls,’” Cline said. “This school’s non-policy policy forces girls who are not comfortable sharing their bathroom with boys to feel like they are somehow wrong or guilty for feeling this way. This is psychologically abusive to our girls.”

(Rick Egan | The Salt Lake Tribune) Supporters stand after Jesse and Alison Sirivanchai spoke during the Jordan School District board meeting on Tuesday, Sept. 26, 2023.

Cline has previously received criticism for accusing schools of being “complicit in the grooming of children for sex-trafficking” — a sentiment she reiterated Tuesday evening.

“It is immoral for the [school district] to attempt to condition girls to override their natural protective instincts in order to accommodate boys in their private spaces,” Cline said.

State Board of Education member Christina Boggess also spoke at Tuesday night’s meeting, saying that “adolescent biology” and “the natural physical responses of young ‘biological males’” cannot be changed by board rules.

The school not only has the responsibility to protect “biological females,” she said, but is also obligated to “reduce the possibility of negative situations for those who are an exception to the majority” — by providing separate facilities for them.

Jesse Sirivanchai said his daughter is “abused” nearly every day for being transgender.

“We’ve heard people talk about abuse, and what that is,” he said Tuesday night. “We came here to respond to the chorus of disapproval that is trying to gain momentum to hinder acceptance from the larger community for my daughter. ... She’s sitting here listening to these words where she’s not accepted as who she is. They want to say that she is something that she is not.”

Rob Sivulka, a parent whose daughter attends Fox Hollow, acknowledged that girls who may be uncomfortable sharing bathrooms with transgender students at Fox Hollow have been given the option of using a private faculty bathroom.

But he protested the school’s broader restroom policy, saying he wasn’t so much concerned ab

“I don’t know this kid,” said Sivulka of Alison, misgendering her as he said she may be “perfectly harmless.”

“But when you have a policy that says, ‘Fine, go ahead; use the bathrooms,’” Sivulka continued, “you’re opening yourself up for sexual assault. You’re opening yourself up for ‘peeping Toms;’ for voyeurism.”

(Rick Egan | The Salt Lake Tribune) Rob Sivulka speaks against Fox Hollow Elementary School's restroom policy at the Jordan School District board meeting on Tuesday, Sept. 26, 2023.

School board members did not take any immediate action.

In 2021, the U.S. Department of Education expanded the definition of “discrimination on the basis of sex” to include sexual orientation and gender identity-based discrimination.

The change came after a landmark Supreme Court decision in *Bostock v. Clayton County*, in which the Supreme Court held that Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination “on the basis of sex,” also protects employees from discrimination based on sexual orientation and gender identity.

Still, the question of whether prohibiting transgender students from using restrooms that align with their gender identity constitutes a violation of Title IX has divided courts across the country, according to [a research brief by the Congressional Research Service](#).

[Movement Advancement Project](#), an independent, nonprofit think tank.

In an email to Sivulka, which the parent provided to The Salt Lake Tribune, Utah state Rep. Cheryl Acton, R-West Jordan, said she hopes to change that in the next legislative session.

“Until that law is enacted, though, the issue is in the hands of the school board, and it sounds like they are still grappling with it,” Acton wrote on Sept. 6, according to the provided email. “For legitimate security reasons, our bathrooms are not gender-fluid. Rules about bathrooms have always been based on biology, not identity, because bathrooms cannot be closely supervised and individuals in bathrooms are vulnerable to indecent exposure, voyeurism, and assault.”

Acton added in the email that transgender students should equally be protected and accommodated, “but in my opinion that should not extend to choosing which specific bathroom they will use. Like any student, they are free to use the bathroom of their biological sex or a private bathroom.”

State law does specify that public Utah facilities may not be prohibited from “adopting reasonable rules and policies that designate sex-specific facilities, including restrooms ... provided that the employer’s rules and policies adopted under this section afford reasonable accommodations based on gender identity to all employees.”

Sirivanchai said Alison is just like every other child.

“If you’ve known her for her whole life, you’d know this is exactly who she has always been,” he said. “She doesn’t have any charges of predation of trying to circumvent privacy. There’s no problem... She’s not looking to hurt anybody else’s children.”



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