

WKMG, FL, USA

Transgender student claims Volusia school policies are discriminatory

Lawsuit alleges Title IX violation

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Posted: 12:29 PM, January 23, 2018

Updated: 6:55 PM, January 23, 2018

[\[Video\]](#)

VOLUSIA COUNTY, Fla. - A transgender student and his family have filed a lawsuit claiming that the Volusia County School Board's discriminatory policies have caused him mental distress, embarrassment and unnecessary suffering.

Plaintiff John Doe, a 15-year-old transgender boy who is a high school sophomore in Volusia County, and his family are claiming that Volusia County School Board violated Title IX and the Equal Protection Clause of the Fourteenth Amendment of the Constitution by forcing the plaintiff to use separate bathrooms and locker rooms while at school.

[READ - Doe v. Volusia Schools](#)

The lawsuit claims that since second grade, the plaintiff has experienced gender dysphoria and has known that he is male. Since then, the plaintiff has legally changed his name to a more masculine one, has had chest reconstruction surgery and has undergone hormone therapy all under the supervision of doctors and therapists.

Though Doe has been living as a boy and been treated as a boy since age 7, the school board has repeatedly denied requests to allow the plaintiff to use male restrooms and locker rooms, according to the lawsuit.

Instead, the plaintiff would have to use separate single-stall restrooms that students do not typically use. The alienation caused the plaintiff to be embarrassed and humiliated to the point where he would restrict his water intake to avoid having to use the restroom at school, so his peers wouldn't ask him why he didn't use the boy's restroom.

"Behind these unlawful and discriminatory practices is a child who is suffering," the lawsuit reads. "VCSB's conduct, which ostracizes John from other boys in his class simply because he is transgender, causes John overwhelming distress and anxiety."

The lawsuit claims that the stress caused the plaintiff to begin pulling out his eyelashes, a symptom of trichotillomania.

On top of that, the lawsuit also claimed that despite loving sports, the plaintiff earned a "D" in physical education because he couldn't use the boys locker room to change to change into his gym clothes.

"As a result, John was forced to deal with a barrage of questions from his classmates, asking why he was changing in a different room away from the rest of the boys. John would try to create excuses as best he could, but suffered a great deal of mental distress because he was being singled out by VCSB's conduct, a fact that was exacerbated by the unwanted and negative attention he was receiving," the lawsuit read.

Attorneys for the plaintiff are asking that the school board allow the plaintiff to use male restrooms and locker rooms, award damages in a court-determined amount and pay the plaintiff's attorney fees.

"The student is doing as well as he can, making the most of a difficult situation," said Asaf Orr, NCLR Transgender Youth Project staff attorney.

Cynthia Fisher, a licensed clinical social worker, said 78 percent of transgender students are harassed at school and 68 percent report attempting suicide.

Fisher said she believes separation sends the wrong message.

"I can't use this bathroom, I can't be trusted and there's something wrong with me. So, that contributes to low self esteem, anxiety, depression and suicidal ideation," Fisher said.

The family hopes this lawsuit will help change the way the district treats not only their son, but other transgender students.

"These are normal, great, everyday kids, just like your kids," Fisher said.

A spokeswoman from Volusia County Schools said the school board has no comment on pending litigation.

<https://www.clickorlando.com/news/lawsuit-transgender-student-claims-volusia-county-school-policies-are-discriminatory>