

**RESOLUTION**  
**REGARDING THE PRIVACY AND PROTECTION OF STUDENTS**  
**AS IT RELATES TO COLORADO S.B. 08-200**  
**AND COLORADO H.B. 21-1108**

WHEREAS, Monument Academy (“MA”), in El Paso County, Colorado, is a nonprofit corporation and a local public body, acting by its Board of Directors; and

WHEREAS, the members of the Board of Directors of Monument Academy (the “Board”) have been duly elected, chosen, and qualified; and

WHEREAS, the mission of Monument Academy is to provide a challenging, content-rich, academic program offered within an engaging, caring, and positive learning environment. Established on a solid foundation of knowledge, Monument Academy emphasizes academic excellence, respect, responsibility, character, and exemplary citizenship; and

WHEREAS, the Board firmly believes that parents, not schools, have the constitutional right and fundamental responsibility to make decisions concerning the care, custody, and control of their children; and

WHEREAS, the Board supports natural law, moral truth, and protecting the innocence, vulnerability, wellbeing, privacy, and safety of every student at Monument Academy; and

WHEREAS, the Board believes that there is a clear distinction between “sex” which is the biological design at birth differentiating between male and female, and “gender expression” and “gender identity” which have been defined under Colorado H.B. 21-1108; and

WHEREAS, Monument Academy welcomes all students regardless of “sex,” “gender expression,” and/or “gender identity,” and does not discriminate; and


WHEREAS, the Board believes that any student regardless of “sex,” “gender expression,” and/or “gender identity,” who uses the gender-specific common bathrooms or uses the gender-specific common locker rooms is protected by the right to privacy under Amendment IV of the Constitution of the United States of America.

**NOW, THEREFORE, BE IT RESOLVED, that**

1. The Board declares and firmly believes that recent laws passed by the United States Congress and the Colorado General Assembly that mandate specific instruction or that direct MA to follow specific instruction regarding “gender expression” and/or “gender identity” in determining the use of gender-specific common bathrooms and gender-specific common locker rooms expose our students to undue harm, confusion, and dysphoria; and
2. The Board has a duty to ensure that Monument Academy protects the safety and privacy of each and every one of our students, and therefore would like our students to know they are encouraged and have a right to set boundaries protecting their individual privacy, and to report to their teacher(s), staff, and/or administrators if those boundaries are violated; and
3. The Board affirms that MA shall support the privacy and dignity of each student and shall not discriminate against individuals in violation of state or federal law regardless of the “sex,” “gender expression,” and/or “gender identity;” and
4. The Board ensures that MA will never promote gender confusion or gender dysphoria in the students that we have been entrusted to serve; nor will MA promote, encourage, or motivate the transitioning of students that are gender confused whether intentionally or unintentionally; and

5. The Board shall direct MA to uphold and support the Constitutional right of parents to oversee the care, custody, and control of a child as defined by the United States Supreme Court ruling known as *Granville*, 530 U.S. 57 (2000) and in doing so will mandate that any student under the age of 18 choosing to express or identify as a gender that does not correlate with their biological sex must be affirmed by the student's parental, or custodial or legal guardians, and that these said familial units must be in complete agreement to said affirmation; and
6. The Board shall mandate that any student under the age of 18 who is affirmed by the parental or custodial or legal guardians must further transition with a change of name and change of gender in Infinite Campus and any other associated school records and that the transitioned student must conform to the dress code of the gender that they now identify or express as with no vacillation; and
7. The Board shall mandate that any student over the age of 18 who chooses to identify as a gender that does not align with their biological sex must further transition with a change of name and change of gender in Infinite Campus and any other associated school records and that the transitioned student must conform to the dress code of the gender that they now identify as with no vacillation; and
8. All parents, guardians, students, and staff understand that any student who chooses to go down this transitioning path and completes said transition that meets the mandated requirements of MA, the Board through this resolution directs the MA administration to notify the appropriate MA parent community and MA constituency, without violating the Family Educational Rights and Privacy Act or other federal or state law, that there may be a student using the gender-specific common bathrooms and/or the gender-specific common locker room different than the student's sex so that other students may request to use a staff bathroom or single stall bathroom, or request a staff member to monitor the vacancy of a gender-specific common bathroom or the vacancy of a gender-specific common locker room to ensure no student is violating the privacy and protection of another student; and
9. Parents should inform themselves and understand that if their child believes their right to privacy has been or continues to be violated by another student, they are strongly encouraged to advise their chosen attorney that they believe their child's Fourth Amendment right to privacy is being violated and consult with said attorney on taking further legal action against the parental or custodial or legal guardians of the offending student(s); and
10. The Board continues to uphold and affirm that our elected representatives at the state and national level have a moral and ethical obligation to challenge and repeal such laws that violate the innocence, vulnerability, well-being, privacy, and safety of our children; and
11. The Board appeals to our MA parent community and MA constituents to make your voices heard as active and engaged citizens by contacting your elected representatives at the state and national level asking them to take a stand for the privacy and protection of our students.

Approved and adopted – June 27<sup>th</sup>, 2023

  
Ryan Graham, Board President  
Monument Academy

Attest:

  
Emily Belisle, Board Secretary  
Monument Academy