

PRIVACY SPACE COMPLIANCE PLAN

PURSUANT TO:

A. UTAH CODE ANN. §63G-31-301, students in public schools are prohibited from accessing sex designated privacy spaces (which includes sex-designated restrooms, locker rooms, shower rooms, and changing rooms) that do not correspond with the student's sex as defined in that statute;

B. UTAH CODE ANN. §63G-31-302, individuals generally may only access sex designated changing rooms located in a government entity's facility that are open to the general public if: (a) the individual's sex corresponds with the sex designation of the changing room, or (b) the individual has legally amended their birth certificate and undergone a primary sex characteristic surgical procedure to correspond with the sex designation of the changing room; and

C. UTAH CODE ANN. §63G-31-304, each government entity must adopt a privacy compliance plan ("*Privacy Compliance Plan*") to address compliance with the government entity's duties under Chapter 31 of UTAH CODE ANN. Title 63G.

Consequently, the following is the required Privacy Compliance Plan for Millcreek (the "*City*"):

Section 1. **City Staff Response.** The City hereby informs its employees to report any complaint they receive alleging that an individual has engaged in one or more of the following criminal offenses in a "*sex designated*" "*privacy space*" in a "*facility*" located within the City, as those terms are defined in UTAH CODE ANN. §63G-31-101, to the Unified Police Department of Greater Salt Lake Department ("*UPD*") through either the emergency or non-emergency dispatch services:

- Lewdness under UTAH CODE ANN. §76-9-702;
- Lewdness involving a child under UTAH CODE ANN. §76-9-702.5;
- Voyeurism under UTAH CODE ANN. §76-9-702.7;
- Loitering in a privacy space under UTAH CODE ANN. §76-9-702.8; and/or
- Criminal trespass in a changing room under UTAH CODE ANN. §63G-31-302(3).

Section 2. **Law Enforcement Response.** If UPD receives a complaint or allegation that an individual has: (a) engaged in one of the criminal offenses listed in Section 1 while in a government entity facility located in the City, or (b) has otherwise violated Chapter 31 of UTAH CODE ANN. Title 63G while in a government entity facility located in the City, an appropriate call priority will be assigned and the complaint will be handled in accordance with UPD's policies and procedures.

Section 3. **New Facility Construction.** As required by UTAH CODE ANN. §63G-31-304, the City will ensure that any City facilities constructed after May 1, 2024, include at least one single-occupant facility, as defined in UTAH CODE ANN. §63G-31-101.

Section 4. **Existing Facilities.** The City shall consider the feasibility of retrofitting or

remodeling the facilities it owns or controls that include privacy spaces (as defined in UTAH CODE ANN. §63G-31-101) to include features to increase individual privacy, such as floor-to-ceiling walls and doors or similar privacy protections, curtains or other similar methods of improving individual privacy within the privacy spaces.

Section 5. **Unisex Facilities.** The City shall ensure sufficient sex-designated privacy spaces through compliance with UTAH CODE ANN. §§15A-3-112 and 15A-3-304 regarding unisex facilities (as defined in UTAH CODE ANN. §63G-31-101).