WEST VIRGINIA CODE: §5-32-3

§5-32-3. Definitions of terms used in the code and Code of State Rules.

As used in this code and/or any administrative rules, regulations, or public policies adopted by the state or its instrumentalities:

(1) A "woman" is an adult human of the female sex, and a "man" is an adult human of the male sex.

(2) A "girl" is a human female who is a legal minor, and a "boy" is a human male who is a legal minor: *Provided*, That the use of the term "girl" or "boy" in reference to the participation of a high school-aged individual in a school or extracurricular program in accordance with the laws of the state shall not be understood to exclude the participation of a student who is legally an adult.

(3) A "mother" is a female parent of a child or children.

(4) A "father" is a male parent of a child or children.

(5) A "female", when this term is used in reference to a natural person, is an individual who naturally has, had, will have through the course of normal development, or would have but for a developmental anomaly, genetic anomaly, or accident, the reproductive system that at some point produces, transports, and utilizes ova for fertilization.

(6) A "male", when this term is used in reference to a natural person, is an individual who naturally has, had, will have through the course of normal development, or would have but for a developmental anomaly, genetic anomaly, or accident, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

(7) "Sex", when this term is used to classify or describe a natural person, means the state of being either male or female as observed or clinically verified at birth. There are only two sexes, and every individual is either male or female: *Provided*, That individuals with congenital and medically verifiable "DSD conditions" (sometimes referred to as "differences in sex development", "disorders in sex development", or "intersex conditions") are not members of a third sex and must be accommodated consistent with state and federal law.

(8) "Domestic violence shelter" means a residential service offered by a licensed domestic violence program on a temporary basis, to persons who are victims of domestic violence, dating violence, sexual assault, stalking or human trafficking, and their children, as established by §48-26-214 of this code, and that receives funding from the West Virginia Department of Human Services.

(9) "Public school" means any school under the general supervision of the West Virginia Board of Education pursuant to Article XII, Section 2 of the Constitution of West Virginia.

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(10) "State institution of higher education" means any university, college, or community and technical college under the jurisdiction of a governing board as defined in §18B-1-2 of this code.

(11) "Multiple occupancy restroom or changing room" means an area designed or designated to be used by more than one individual at the same time and in which one or more individuals may be in various stages of undress in the presence of other individuals. Such term includes, but shall not be limited to, the following:

(A) Restrooms;

(B) Locker rooms; and

(C) Shower rooms.

(12) "Changing area" means an area designed or designated to be used by one or more individuals at the same time and in which one or more individuals may be in various stages of undress. Such term includes, but shall not be limited to, restrooms.

(13) "Sleeping quarters" means a room with more than one bed and in which more than one individual is housed overnight.

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