

1                                   A bill to be entitled  
 2           An act relating to discrimination in the K-20 public  
 3           education system; amending s. 1000.05, F.S.; prohibiting  
 4           discrimination against students and employees on the basis  
 5           of sexual orientation; amending s. 1002.20, F.S.;  
 6           conforming provisions; providing an effective date.

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 8   Be It Enacted by the Legislature of the State of Florida:

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 10           Section 1. Paragraphs (a), (b), (c), and (e) of subsection  
 11           (2), subsection (4), and paragraph (d) of subsection (6) of  
 12           section 1000.05, Florida Statutes, are amended to read:

13           1000.05 Discrimination against students and employees in  
 14           the Florida K-20 public education system prohibited; equality of  
 15           access required.--

16           (2) (a) Discrimination on the basis of race, ethnicity,  
 17           national origin, gender, sexual orientation, disability, or  
 18           marital status against a student or an employee in the state  
 19           system of public K-20 education is prohibited. No person in this  
 20           state shall, on the basis of race, ethnicity, national origin,  
 21           gender, sexual orientation, disability, or marital status, be  
 22           excluded from participation in, be denied the benefits of, or be  
 23           subjected to discrimination under any public K-20 education  
 24           program or activity, or in any employment conditions or  
 25           practices, conducted by a public educational institution that  
 26           receives or benefits from federal or state financial assistance.

27           (b) The criteria for admission to a program or course  
 28           shall not have the effect of restricting access by persons of a

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29 particular race, ethnicity, national origin, gender, sexual  
30 orientation, disability, or marital status.

31 (c) All public K-20 education classes shall be available  
32 to all students without regard to race, ethnicity, national  
33 origin, gender, sexual orientation, disability, or marital  
34 status; however, this is not intended to eliminate the provision  
35 of programs designed to meet the needs of students with limited  
36 proficiency in English, gifted students, or students with  
37 disabilities or programs tailored to students with specialized  
38 talents or skills.

39 (e) Guidance services, counseling services, and financial  
40 assistance services in the state public K-20 education system  
41 shall be available to students equally. Guidance and counseling  
42 services, materials, and promotional events shall stress access  
43 to academic and career opportunities for students without regard  
44 to race, ethnicity, national origin, gender, sexual orientation,  
45 disability, or marital status.

46 (4) Educational institutions within the state public K-20  
47 education system shall develop and implement methods and  
48 strategies to increase the participation of students of a  
49 particular race, ethnicity, national origin, gender, sexual  
50 orientation, disability, or marital status in programs and  
51 courses in which students of that particular race, ethnicity,  
52 national origin, gender, sexual orientation, disability, or  
53 marital status have been traditionally underrepresented,  
54 including, but not limited to, mathematics, science, computer  
55 technology, electronics, communications technology, engineering,  
56 and career education.

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57 (6) The functions of the Office of Equal Educational  
58 Opportunity of the Department of Education shall include, but  
59 are not limited to:

60 (d) Conducting studies of the effectiveness of methods and  
61 strategies designed to increase the participation of students in  
62 programs and courses in which students of a particular race,  
63 ethnicity, national origin, gender, sexual orientation,  
64 disability, or marital status have been traditionally  
65 underrepresented and monitoring the success of students in such  
66 programs or courses, including performing followup monitoring.

67 Section 2. Subsection (7) of section 1002.20, Florida  
68 Statutes, is amended to read:

69 1002.20 K-12 student and parent rights.--Parents of public  
70 school students must receive accurate and timely information  
71 regarding their child's academic progress and must be informed  
72 of ways they can help their child to succeed in school. K-12  
73 students and their parents are afforded numerous statutory  
74 rights including, but not limited to, the following:

75 (7) NONDISCRIMINATION.--All education programs,  
76 activities, and opportunities offered by public educational  
77 institutions must be made available without discrimination on  
78 the basis of race, ethnicity, national origin, gender, sexual  
79 orientation, disability, or marital status, in accordance with  
80 the provisions of s. 1000.05.

81 Section 3. This act shall take effect July 1, 2007.