

1 A bill to be entitled
 2 An act relating to education; amending s. 1000.05, F.S.;
 3 providing that students may be separated by gender for
 4 specified single-gender programs; amending s. 1002.20,
 5 F.S.; providing that public school choice options may
 6 include single-gender programs; creating s. 1002.311,
 7 F.S.; authorizing district school boards to establish a
 8 nonvocational class, extracurricular activity, or school
 9 in which enrollment is limited to students of a single
 10 gender; providing conditions for such authorization;
 11 requiring that student participation in single-gender
 12 programs be voluntary; requiring evaluation of single-
 13 gender programs every 2 years; providing an effective
 14 date.

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

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 18 Section 1. Paragraph (d) of subsection (2) of section
 19 1000.05, Florida Statutes, is amended to read:

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

23 (2)

24 (d) Students may be separated by gender for a single-
 25 gender program under s. 1002.311, for any portion of a class
 26 that deals with human reproduction, or during participation in
 27 bodily contact sports. For the purpose of this section, bodily
 28 contact sports include wrestling, boxing, rugby, ice hockey,

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29 | football, basketball, and other sports in which the purpose or
30 | major activity involves bodily contact.

31 | Section 2. Paragraph (a) of subsection (6) of section
32 | 1002.20, Florida Statutes, is amended to read:

33 | 1002.20 K-12 student and parent rights.--Parents of public
34 | school students must receive accurate and timely information
35 | regarding their child's academic progress and must be informed
36 | of ways they can help their child to succeed in school. K-12
37 | students and their parents are afforded numerous statutory
38 | rights including, but not limited to, the following:

39 | (6) EDUCATIONAL CHOICE.--

40 | (a) Public school choices.--Parents of public school
41 | students may seek whatever public school choice options that are
42 | applicable to their students and are available to students in
43 | their school districts. These options may include controlled
44 | open enrollment, single-gender programs, lab schools, charter
45 | schools, charter technical career centers, magnet schools,
46 | alternative schools, special programs, advanced placement, dual
47 | enrollment, International Baccalaureate, International General
48 | Certificate of Secondary Education (pre-AICE), Advanced
49 | International Certificate of Education, early admissions, credit
50 | by examination or demonstration of competency, the New World
51 | School of the Arts, the Florida School for the Deaf and the
52 | Blind, and the Florida Virtual School. These options may also
53 | include the public school choice options of the Opportunity
54 | Scholarship Program and the McKay Scholarships for Students with
55 | Disabilities Program.

56 | Section 3. Section 1002.311, Florida Statutes, is created

57 to read:

58 1002.311 Single-gender programs authorized.--

59 (1) Subject to subsection (2) and in accordance with 34
 60 C.F.R. s. 106.34, a district school board may establish and
 61 maintain a nonvocational class, extracurricular activity, or
 62 school for elementary, middle, or high school students in which
 63 enrollment is limited to a single gender if the school district
 64 also makes available a substantially equal:

65 (a) Single-gender class, extracurricular activity, or
 66 school to students of the other gender; and

67 (b) Coeducational class, extracurricular activity, or
 68 school to all students.

69 (2) A district school board that establishes a single-
 70 gender class, extracurricular activity, or school:

71 (a) May not require participation by any student. The
 72 district school board must ensure that participation in the
 73 single-gender class, extracurricular activity, or school is
 74 voluntary.

75 (b) Must evaluate each single-gender class,
 76 extracurricular activity, or school in the school district at
 77 least once every 2 years in order to ensure that it is in
 78 compliance with this section and 34 C.F.R. s. 106.34.

79 Section 4. This act shall take effect July 1, 2008.