

By the Committees on Judiciary; Education Pre-K - 12; and
Senator Wise

590-04487-08

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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 options for public school choice 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 students' participation in single-gender
12 programs be voluntary; requiring evaluation of single-
13 gender programs every 2 years; providing an effective
14 date.

15
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-gender
25 program as provided 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,
29 football, basketball, and other sports in which the purpose or

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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 of
36 ways they can help their child to succeed in school. K-12
37 students and their parents are afforded numerous statutory rights
38 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 open
44 enrollment, single-gender programs, lab schools, charter schools,
45 charter technical career centers, magnet schools, alternative
46 schools, special programs, advanced placement, dual enrollment,
47 International Baccalaureate, International General Certificate of
48 Secondary Education (pre-AICE), Advanced International
49 Certificate of Education, early admissions, credit by examination
50 or demonstration of competency, the New World School of the Arts,
51 the Florida School for the Deaf and the Blind, and the Florida
52 Virtual School. These options may also include the public school
53 choice options of the Opportunity Scholarship Program and the
54 McKay Scholarships for Students with Disabilities Program.

55 Section 3. Section 1002.311, Florida Statutes, is created
56 to read:

57 1002.311 Single-gender programs authorized.--

58 (1) Subject to subsection (2) and in accordance with 34

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

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

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

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

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

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

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