

1 A bill to be entitled
 2 An act relating to discrimination in the Florida K-20
 3 public education system; amending s. 1000.05, F.S.;
 4 prohibiting discrimination in the Florida K-20 public
 5 education system based on religion; revising the
 6 functions of the Office of Equal Educational
 7 Opportunity of the Department of Education; requiring
 8 a public K-20 educational institution to take into
 9 consideration anti-Semitism under certain instances of
 10 discrimination; defining the term "anti-Semitism";
 11 amending s. 1002.20, F.S.; conforming provisions to
 12 changes made by the act; providing an effective date.

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

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 16 Section 1. Present subsection (7) of section 1000.05,
 17 Florida Statutes, is renumbered as subsection (8), subsections
 18 (2) and (4) and paragraph (d) of subsection (6) are amended, and
 19 a new subsection (7) is added to that section, 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) (a) Discrimination on the basis of race, ethnicity,
 24 national origin, gender, disability, religion, or marital status
 25 against a student or an employee in the state system of public

26 K-20 education is prohibited. No person in this state shall, on
27 the basis of race, ethnicity, national origin, gender,
28 disability, religion, or marital status, be excluded from
29 participation in, be denied the benefits of, or be subjected to
30 discrimination under any public K-20 education program or
31 activity, or in any employment conditions or practices,
32 conducted by a public educational institution that receives or
33 benefits from federal or state financial assistance.

34 (b) The criteria for admission to a program or course
35 shall not have the effect of restricting access by persons of a
36 particular race, ethnicity, national origin, gender, disability,
37 religion, or marital status.

38 (c) All public K-20 education classes shall be available
39 to all students without regard to race, ethnicity, national
40 origin, gender, disability, religion, or marital status;
41 however, this is not intended to eliminate the provision of
42 programs designed to meet the needs of students with limited
43 proficiency in English, gifted students, or students with
44 disabilities or programs tailored to students with specialized
45 talents or skills.

46 (d) Students may be separated by gender for a single-
47 gender program as provided under s. 1002.311, for any portion of
48 a class that deals with human reproduction, or during
49 participation in bodily contact sports. For the purpose of this
50 section, bodily contact sports include wrestling, boxing, rugby,

51 ice hockey, football, basketball, and other sports in which the
52 purpose or major activity involves bodily contact.

53 (e) Guidance services, counseling services, and financial
54 assistance services in the state public K-20 education system
55 shall be available to students equally. Guidance and counseling
56 services, materials, and promotional events shall stress access
57 to academic and career opportunities for students without regard
58 to race, ethnicity, national origin, gender, disability,
59 religion, or marital status.

60 (4) Public schools and Florida College System institutions
61 shall develop and implement methods and strategies to increase
62 the participation of students of a particular race, ethnicity,
63 national origin, gender, disability, religion, or marital status
64 in programs and courses in which students of that particular
65 race, ethnicity, national origin, gender, disability, religion,
66 or marital status have been traditionally underrepresented,
67 including, but not limited to, mathematics, science, computer
68 technology, electronics, communications technology, engineering,
69 and career education.

70 (6) The functions of the Office of Equal Educational
71 Opportunity of the Department of Education shall include, but
72 are not limited to:

73 (d) Conducting studies of the effectiveness of methods and
74 strategies designed to increase the participation of students in
75 programs and courses in which students of a particular race,

76 ethnicity, national origin, gender, disability, religion, or
77 marital status have been traditionally underrepresented and
78 monitoring the success of students in such programs or courses,
79 including performing followup monitoring.

80 (7) A public K-20 educational institution must take into
81 consideration anti-Semitism when determining if a practice or
82 act was discrimination on the basis of religion. For purposes of
83 this section, the term "anti-Semitism" means all of the
84 following:

85 (a) A certain perception of the Jewish people, which may
86 be expressed as hatred toward Jewish people.

87 (b) Rhetorical or physical manifestations of anti-Semitism
88 directed toward a Jewish or non-Jewish individual or his or her
89 property or toward Jewish community institutions or religious
90 facilities.

91 (c) Calling for, aiding, or justifying the killing or
92 harming of a Jewish person.

93 (d) Making mendacious, dehumanizing, demonizing, or
94 stereotypical allegations about a Jewish person or the power of
95 the Jewish community collectively.

96 (e) Accusing the Jewish people of being responsible for
97 real or imagined wrongdoing committed by a single Jewish person
98 or group, the State of Israel, or a non-Jewish person or group.

99 (f) Accusing the Jewish people or the State of Israel of
100 inventing or exaggerating the Holocaust.

101 (g) Accusing a Jewish person of being more loyal to Israel
102 or the priorities of the Jewish community than to the interests
103 of their own nation.

104 (h) Using the symbols and images associated with classic
105 anti-Semitism to characterize Israel, Israelis, or Jewish
106 people.

107 (i) Drawing comparisons of contemporary Israeli policies
108 to that of Nazi Germany.

109 (j) Blaming Israel for all interreligious or political
110 tensions.

111 (k) Applying double standards to the State of Israel by
112 requiring of it behavior not expected or demanded of any other
113 democratic nation.

114 (l) The work of a multilateral organization investigating
115 Israel for peace or human rights violations.

116 (m) Denying the Jewish people their right to self-
117 determination and denying Israel the right to exist.

118
119 However, criticism of Israel that is similar to criticism toward
120 any other country may not be regarded as anti-Semitic.

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

123 1002.20 K-12 student and parent rights.—Parents of public
124 school students must receive accurate and timely information
125 regarding their child's academic progress and must be informed

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126 | of ways they can help their child to succeed in school. K-12
127 | students and their parents are afforded numerous statutory
128 | rights including, but not limited to, the following:

129 | (7) NONDISCRIMINATION.—All education programs, activities,
130 | and opportunities offered by public educational institutions
131 | must be made available without discrimination on the basis of
132 | race, ethnicity, national origin, gender, disability, religion,
133 | or marital status, in accordance with the provisions of s.
134 | 1000.05.

135 | Section 3. This act shall take effect July 1, 2019.