

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Smith, C. offered the following:

Amendment to Amendment (090379) (with title amendment)

Between lines 356 and 357 of the amendment, insert:

Section 5. Paragraph (r) is added to subsection (1) of section 1002.421, Florida Statutes, to read:

1002.421 State school choice scholarship program
accountability and oversight.—

(1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01(2) in this state, be registered, and be in compliance with all requirements of this section in addition to

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14 private school requirements outlined in s. 1002.42, specific
15 requirements identified within respective scholarship program
16 laws, and other provisions of Florida law that apply to private
17 schools, and must:

18 (r) Establish a written nondiscrimination policy for
19 student enrollment and admissions that prohibits discrimination
20 based on a student's or his or her parent's sexual orientation,
21 gender identity, gender, race, ethnicity, national origin,
22 religion, or protective hairstyle. For purposes of this
23 paragraph, the term:

24 1. "Protective hairstyle" includes, but is not limited to,
25 hairstyles such as braids, locks, or twists.

26 2. "Race" is inclusive of traits historically associated
27 with race, including, but not limited to, hair texture, hair
28 type, and protective hairstyles.

29
30 This paragraph does not limit the free exercise of religion
31 guaranteed by the United States Constitution and the State
32 Constitution.

33
34 The department shall suspend the payment of funds to a private
35 school that knowingly fails to comply with this subsection, and
36 shall prohibit the school from enrolling new scholarship
37 students, for 1 fiscal year and until the school complies. If a
38 private school fails to meet the requirements of this subsection

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39 or has consecutive years of material exceptions listed in the
40 report required under paragraph (q), the commissioner may
41 determine that the private school is ineligible to participate
42 in a scholarship program.

43 Section 6. Paragraph (j) is added to subsection (10) of
44 section 1002.33, Florida Statutes, to read:

45 1002.33 Charter schools.—

46 (10) ELIGIBLE STUDENTS.—

47 (j) A charter school must establish a written
48 nondiscrimination policy for student enrollment and admissions
49 that prohibits discrimination based on a student's or his or her
50 parent's sexual orientation, gender identity, gender, race,
51 ethnicity, national origin, religion, or protective hairstyle.
52 For purposes of this paragraph, the term:

53 1. "Protective hairstyle" includes, but is not limited to,
54 hairstyles such as braids, locks, or twists.

55 2. "Race" is inclusive of traits historically associated
56 with race, including, but not limited to, hair texture, hair
57 type, and protective hairstyles.

58
59 This paragraph does not limit the free exercise of religion
60 guaranteed by the United States Constitution and the State
61 Constitution.

62 Section 7. Paragraph (k) is added to subsection (1) of
63 section 1003.02, Florida Statutes, to read:

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64 1003.02 District school board operation and control of
65 public K-12 education within the school district.—As provided in
66 part II of chapter 1001, district school boards are
67 constitutionally and statutorily charged with the operation and
68 control of public K-12 education within their school district.
69 The district school boards must establish, organize, and operate
70 their public K-12 schools and educational programs, employees,
71 and facilities. Their responsibilities include staff
72 development, public K-12 school student education including
73 education for exceptional students and students in juvenile
74 justice programs, special programs, adult education programs,
75 and career education programs. Additionally, district school
76 boards must:

77 (1) Provide for the proper accounting for all students of
78 school age, for the attendance and control of students at
79 school, and for proper attention to health, safety, and other
80 matters relating to the welfare of students in the following
81 areas:

82 (k) Nondiscrimination policy.—Establish a written
83 nondiscrimination policy for student enrollment and admissions
84 that prohibits discrimination based on a student's or his or her
85 parent's sexual orientation, gender identity, gender, race,
86 ethnicity, national origin, religion, or protective hairstyle.

87 For purposes of this paragraph, the term:

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88 1. "Protective hairstyle" includes, but is not limited to,
89 hairstyles such as braids, locks, or twists.

90 2. "Race" is inclusive of traits historically associated
91 with race, including, but not limited to, hair texture, hair
92 type, and protective hairstyles.

93
94 This paragraph does not limit the free exercise of religion
95 guaranteed by the United States Constitution and the State
96 Constitution.

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99 **T I T L E A M E N D M E N T**

100 Remove line 398 of the amendment and insert:
101 certain student memberships; amending 1002.421, F.S.;
102 requiring certain private schools to establish a
103 specified nondiscrimination policy; providing
104 definitions; providing applicability; amending s.
105 1002.33, F.S.; requiring charter schools to establish
106 a specified nondiscrimination policy; providing
107 definitions; providing applicability; amending s.
108 1003.02, F.S.; requiring district school boards to
109 establish a specified nondiscrimination policy;
110 providing definitions; providing applicability;
111 providing an effective

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