

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Arrington offered the following:

**Amendment (with title amendment)**

Remove lines 64-527 and insert:

2. An individual, by virtue of their race, color, sex, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. An individual's moral character or status as either privileged or oppressed is necessarily determined by their race, color, sex, or national origin.

4. Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to race, color, sex, or national origin.

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14       5. An individual, by virtue of their race, color, sex, or  
15 national origin, bears responsibility for, or should be  
16 discriminated against or receive adverse treatment because of,  
17 actions committed in the past by other members of the same race,  
18 color, sex, or national origin.

19       6. An individual, by virtue of their race, color, sex, or  
20 national origin, should be discriminated against or receive  
21 adverse treatment to achieve diversity, equity, or inclusion.

22       7. An individual, by virtue of their race, color, sex, or  
23 national origin, bears personal responsibility for and must feel  
24 guilt, anguish, or other forms of psychological distress because  
25 of actions, in which the individual played no part, committed in  
26 the past by other members of the same race, color, sex, or  
27 national origin.

28       8. Such virtues as merit, excellence, hard work, fairness,  
29 neutrality, objectivity, and racial colorblindness are racist or  
30 sexist, or were created by members of a particular race, color,  
31 sex, or national origin to oppress members of another race,  
32 color, sex, or national origin.

33       (b) Paragraph (a) may not be construed to prohibit  
34 discussion of the concepts listed therein as part of a course of  
35 training or instruction, provided such training or instruction  
36 is given in an objective manner without endorsement of the  
37 concepts.

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38 Section 2. Subsections (4) through (8) of section 1000.05,  
39 Florida Statutes, are renumbered as subsections (5) through (9),  
40 respectively, subsections (2) and (3), present subsection (4),  
41 and paragraph (d) of present subsection (6) are amended, and a  
42 new subsection (4) is added to that section, to read:

43 1000.05 Discrimination against students and employees in  
44 the Florida K-20 public education system prohibited; equality of  
45 access required.-

46 (2)(a) Discrimination on the basis of race, color  
47 ~~ethnicity~~, national origin, sex, gender, gender identity, sexual  
48 identity, disability, religion, or marital status against a  
49 student or an employee in the state system of public K-20  
50 education is prohibited. No person in this state shall, on the  
51 basis of race, color ~~ethnicity~~, national origin, sex, gender,  
52 gender identity, sexual identity, disability, religion, or  
53 marital status, be excluded from participation in, be denied the  
54 benefits of, or be subjected to discrimination under any public  
55 K-20 education program or activity, or in any employment  
56 conditions or practices, conducted by a public educational  
57 institution that receives or benefits from federal or state  
58 financial assistance.

59 (b) The criteria for admission to a program or course  
60 shall not have the effect of restricting access by persons of a  
61 particular race, color ~~ethnicity~~, national origin, sex, gender,

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62 gender identity, sexual identity, disability, religion, or  
63 marital status.

64 (c) All public K-20 education classes shall be available  
65 to all students without regard to race, color ~~ethnicity~~,  
66 national origin, sex, gender, gender identity, sexual identity,  
67 disability, religion, or marital status; however, this is not  
68 intended to eliminate the provision of programs designed to meet  
69 the needs of students with limited proficiency in English,  
70 gifted students, or students with disabilities or programs  
71 tailored to students with specialized talents or skills.

72 (d) Students may be separated by sex ~~gender~~ for a single-  
73 gender program as provided under s. 1002.311, for any portion of  
74 a class that deals with human reproduction, or during  
75 participation in bodily contact sports. For the purpose of this  
76 section, bodily contact sports include wrestling, boxing, rugby,  
77 ice hockey, football, basketball, and other sports in which the  
78 purpose or major activity involves bodily contact.

79 (e) Guidance services, counseling services, and financial  
80 assistance services in the state public K-20 education system  
81 shall be available to students equally. Guidance and counseling  
82 services, materials, and promotional events shall stress access  
83 to academic and career opportunities for students without regard  
84 to race, color ~~ethnicity~~, national origin, sex, gender, gender  
85 identity, sexual identity, disability, religion, or marital  
86 status.

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87 (3)(a) No person shall, on the basis of sex, gender,  
88 gender identity, sexual identity, be excluded from participating  
89 in, be denied the benefits of, or be treated differently from  
90 another person or otherwise be discriminated against in any  
91 interscholastic, intercollegiate, club, or intramural athletics  
92 offered by a public K-20 educational institution; and no public  
93 K-20 educational institution shall provide athletics separately  
94 on such basis.

95 (b) Notwithstanding the requirements of paragraph (a), a  
96 public K-20 educational institution may operate or sponsor  
97 separate teams for members of each sex ~~gender~~ if the selection  
98 for such teams is based upon competitive skill or the activity  
99 involved is a bodily contact sport. However, when a public K-20  
100 educational institution operates or sponsors a team in a  
101 particular sport for members of one sex ~~gender~~ but does not  
102 operate or sponsor such a team for members of the other sex  
103 ~~gender~~, and athletic opportunities for that sex ~~gender~~ have  
104 previously been limited, members of the excluded sex ~~gender~~ must  
105 be allowed to try out for the team offered.

106 (c) This subsection does not prohibit the grouping of  
107 students in physical education classes and activities by ability  
108 as assessed by objective standards of individual performance  
109 developed and applied without regard to sex ~~gender~~. However,  
110 when use of a single standard of measuring skill or progress in  
111 a physical education class has an adverse effect on members of

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112 one sex ~~gender~~, the educational institution shall use  
113 appropriate standards which do not have such effect.

114 (d) A public K-20 educational institution which operates  
115 or sponsors interscholastic, intercollegiate, club, or  
116 intramural athletics shall provide equal athletic opportunity  
117 for members of both sexes ~~genders~~.

118 1. The Board of Governors shall determine whether equal  
119 opportunities are available at state universities.

120 2. The Commissioner of Education shall determine whether  
121 equal opportunities are available in school districts and  
122 Florida College System institutions. In determining whether  
123 equal opportunities are available in school districts and  
124 Florida College System institutions, the Commissioner of  
125 Education shall consider, among other factors:

126 a. Whether the selection of sports and levels of  
127 competition effectively accommodate the interests and abilities  
128 of members of both sexes ~~genders~~.

129 b. The provision of equipment and supplies.

130 c. Scheduling of games and practice times.

131 d. Travel and per diem allowances.

132 e. Opportunities to receive coaching and academic  
133 tutoring.

134 f. Assignment and compensation of coaches and tutors.

135 g. Provision of locker room, practice, and competitive  
136 facilities.

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137 h. Provision of medical and training facilities and  
138 services.

139 i. Provision of housing and dining facilities and  
140 services.

141 j. Publicity.

142

143 Unequal aggregate expenditures for members of each sex ~~gender~~ or  
144 unequal expenditures for male and female teams if a public  
145 school or Florida College System institution operates or  
146 sponsors separate teams do not constitute nonimplementation of  
147 this subsection, but the Commissioner of Education shall  
148 consider the failure to provide necessary funds for teams for  
149 one sex ~~gender~~ in assessing equality of opportunity for members  
150 of each sex ~~gender~~.

151 (e) A public school or Florida College System institution  
152 may provide separate toilet, locker room, and shower facilities  
153 on the basis of gender, but such facilities shall be comparable  
154 to such facilities provided for students of the other sex  
155 ~~gender~~.

156 (4) (a) It shall constitute discrimination on the basis of  
157 race, color, national origin, or sex under this section to  
158 subject any student or employee to training or instruction that  
159 espouses, promotes, advances, inculcates, or compels such  
160 student or employee to believe any of the following concepts:

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161 1. Members of one race, color, national origin, or sex are  
162 morally superior to members of another race, color, national  
163 origin, or sex.

164 2. A person, by virtue of their race, color, national  
165 origin, or sex is inherently racist, sexist, or oppressive,  
166 whether consciously or unconsciously.

167 3. A person's moral character or status as either  
168 privileged or oppressed is necessarily determined by their race,  
169 color, national origin, or sex.

170 4. Members of one race, color, national origin, or sex  
171 cannot and should not attempt to treat others without respect to  
172 race, color, national origin, or sex.

173 5. A person, by virtue of their race, color, national  
174 origin, or sex bears responsibility for, or should be  
175 discriminated against or receive adverse treatment because of,  
176 actions committed in the past by other members of the same race,  
177 color, national origin, or sex.

178 6. A person, by virtue of their race, color, national  
179 origin, or sex should be discriminated against or receive  
180 adverse treatment to achieve diversity, equity, or inclusion.

181 7. A person, by virtue of their race, color, sex, or  
182 national origin, bears personal responsibility for and must feel  
183 guilt, anguish, or other forms of psychological distress because  
184 of actions, in which the person played no part, committed in the

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185 past by other members of the same race, color, national origin,  
186 or sex.

187 8. Such virtues as merit, excellence, hard work, fairness,  
188 neutrality, objectivity, and racial colorblindness are racist or  
189 sexist, or were created by members of a particular race, color,  
190 national origin, or sex to oppress members of another race,  
191 color, national origin, or sex.

192 (b) Paragraph (a) may not be construed to prohibit  
193 discussion of the concepts listed therein as part of a larger  
194 course of training or instruction, provided such training or  
195 instruction is given in an objective manner without endorsement  
196 of the concepts.

197 (5)-(4) Public schools and Florida College System  
198 institutions shall develop and implement methods and strategies  
199 to increase the participation of students of a particular race,  
200 color ethnicity, national origin, sex gender, disability, or  
201 marital status in programs and courses in which students of that  
202 particular race, color ethnicity, national origin, sex gender,  
203 disability, or marital status have been traditionally  
204 underrepresented, including, but not limited to, mathematics,  
205 science, computer technology, electronics, communications  
206 technology, engineering, and career education.

207 (7)-(6) The functions of the Office of Equal Educational  
208 Opportunity of the Department of Education shall include, but  
209 are not limited to:

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210 (d) Conducting studies of the effectiveness of methods and  
211 strategies designed to increase the participation of students in  
212 programs and courses in which students of a particular race,  
213 color ethnicity, national origin, sex, gender, gender identity,  
214 sexual identity, disability, or marital status have been  
215 traditionally underrepresented and monitoring the success of  
216 students in such programs or courses, including performing  
217 followup monitoring.

218 Section 3. Subsection (3) of section 1003.42, Florida  
219 Statutes, is renumbered as subsection (4), paragraph (b) of  
220 subsection (1) and subsection (2) are amended, and a new  
221 subsection (3) is added to that section, to read:

222 1003.42 Required instruction.—

223 (1)

224 (b) All instructional materials, as defined in s.  
225 1006.29(2), used to teach reproductive health or any disease,  
226 including HIV/AIDS, its symptoms, development, and treatment, as  
227 part of the courses referenced in subsection (4) ~~(3)~~, must be  
228 annually approved by a district school board in an open, noticed  
229 public meeting.

230 (2) Members of the instructional staff of the public  
231 schools, subject to the rules of the State Board of Education  
232 and the district school board, shall teach efficiently and  
233 faithfully, using the books and materials required that meet the  
234 highest standards for professionalism and historical accuracy,

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235 following the prescribed courses of study, and employing  
236 approved methods of instruction, the following:

237 (a) The history and content of the Declaration of  
238 Independence, including national sovereignty, natural law, self-  
239 evident truth, equality of all persons, limited government,  
240 popular sovereignty, and inalienable rights of life, liberty,  
241 and property, and how they form the philosophical foundation of  
242 our government.

243 (b) The history, meaning, significance, and effect of the  
244 provisions of the Constitution of the United States and  
245 amendments thereto, with emphasis on each of the 10 amendments  
246 that make up the Bill of Rights and how the constitution  
247 provides the structure of our government.

248 (c) The arguments in support of adopting our republican  
249 form of government, as they are embodied in the most important  
250 of the Federalist Papers.

251 (d) Flag education, including proper flag display and flag  
252 salute.

253 (e) The elements of civil government, including the  
254 primary functions of and interrelationships between the Federal  
255 Government, the state, and its counties, municipalities, school  
256 districts, and special districts.

257 (f) The history of the United States, including the period  
258 of discovery, early colonies, the War for Independence, the  
259 Civil War, the expansion of the United States to its present

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260 boundaries, the world wars, and the civil rights movement to the  
261 present. American history shall be viewed as factual, not as  
262 constructed, shall be viewed as knowable, teachable, and  
263 testable, and shall be defined as the creation of a new nation  
264 based largely on the universal principles stated in the  
265 Declaration of Independence.

266 (g)1. The history of the Holocaust (1933-1945), the  
267 systematic, planned annihilation of European Jews and other  
268 groups by Nazi Germany, a watershed event in the history of  
269 humanity, to be taught in a manner that leads to an  
270 investigation of human behavior, an understanding of the  
271 ramifications of prejudice, racism, and stereotyping, and an  
272 examination of what it means to be a responsible and respectful  
273 person, for the purposes of encouraging tolerance of diversity  
274 in a pluralistic society and for nurturing and protecting  
275 democratic values and institutions, including the policy,  
276 definition, and historical and current examples of anti-  
277 Semitism, as described in s. 1000.05(8) ~~s. 1000.05(7)~~, and the  
278 prevention of anti-Semitism. Each school district must annually  
279 certify and provide evidence to the department, in a manner  
280 prescribed by the department, that the requirements of this  
281 paragraph are met. The department shall prepare and offer  
282 standards and curriculum for the instruction required by this  
283 paragraph and may seek input from the Commissioner of  
284 Education's Task Force on Holocaust Education or from any state

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285 or nationally recognized Holocaust educational organizations.  
286 The department may contract with any state or nationally  
287 recognized Holocaust educational organizations to develop  
288 training for instructional personnel and grade-appropriate  
289 classroom resources to support the developed curriculum.

290 2. The second week in November shall be designated as  
291 "Holocaust Education Week" in this state in recognition that  
292 November is the anniversary of Kristallnacht, widely recognized  
293 as a precipitating event that led to the Holocaust.

294 (h) The history of African Americans, including the  
295 history of African peoples before the political conflicts that  
296 led to the development of slavery, the passage to America, the  
297 enslavement experience, abolition, and the contributions of  
298 African Americans to society. Instructional materials shall  
299 include the contributions of African Americans to American  
300 society.

301 (i) The elementary principles of agriculture.

302 (j) The true effects of all alcoholic and intoxicating  
303 liquors and beverages and narcotics upon the human body and  
304 mind.

305 (k) Kindness to animals.

306 (l) The history of the state.

307 (m) The conservation of natural resources.

308 (n) ~~1.~~ Comprehensive age-appropriate and developmentally  
309 appropriate K-12 instruction on: ~~health education that addresses~~

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310 1. Health education that addresses concepts of community  
311 health, consumer health, environmental health, and family life,  
312 including:

313 ~~a. Mental and emotional health.~~

314 ~~a.b.~~ Injury prevention and safety.

315 ~~b.e.~~ Internet safety.

316 ~~c.d.~~ Nutrition.

317 ~~d.e.~~ Personal health.

318 ~~e.f.~~ Prevention and control of disease.

319 ~~f.g.~~ Substance use and abuse.

320 ~~g.h.~~ Prevention of child sexual abuse, exploitation, and  
321 human trafficking.

322 ~~2. The health education curriculum~~ For students in grades  
323 7 through 12, ~~shall include a~~ teen dating violence and abuse.  
324 This component must include ~~that includes,~~ but ~~is~~ not be limited  
325 to, the definition of dating violence and abuse, the warning  
326 signs of dating violence and abusive behavior, the  
327 characteristics of healthy relationships, measures to prevent  
328 and stop dating violence and abuse, and community resources  
329 available to victims of dating violence and abuse.

330 ~~3. The health education curriculum~~ For students in grades  
331 6 through 12, ~~shall include an~~ awareness of the benefits of  
332 sexual abstinence as the expected standard and the consequences  
333 of teenage pregnancy.

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334 4. Life skills that build confidence, support mental and  
335 emotional health, and enable students to overcome challenges,  
336 including:

337 a. Self-awareness and self-management.

338 b. Responsible decisionmaking.

339 c. Resiliency.

340 d. Relationship skills and conflict resolution.

341 e. Understanding and respecting other viewpoints and  
342 backgrounds.

343 f. For grades 9 through 12, developing leadership skills,  
344 interpersonal skills, organization skills, and research skills;  
345 creating a resume, including a digital resume; exploring career  
346 pathways; using state career planning resources; developing and  
347 practicing the skills necessary for employment interviews;  
348 workplace ethics and workplace law; managing stress and  
349 expectations; and self-motivation.

350  
351 Health education and life skills instruction and materials may  
352 not contradict the principles enumerated in subsection (3).

353 (o) Such additional materials, subjects, courses, or  
354 fields in such grades as are prescribed by law or by rules of  
355 the State Board of Education and the district school board in  
356 fulfilling the requirements of law.

357 (p) The study of Hispanic contributions to the United  
358 States.

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359 (q) The study of women's contributions to the United  
360 States.

361 (r) The nature and importance of free enterprise to the  
362 United States economy.

363 (s) Civic and character education on ~~A character~~  
364 ~~development program in the elementary schools, similar to~~  
365 ~~Character First or Character Counts, which is secular in nature.~~  
366 ~~Beginning in school year 2004-2005, the character development~~  
367 ~~program shall be required in kindergarten through grade 12. Each~~  
368 ~~district school board shall develop or adopt a curriculum for~~  
369 ~~the character development program that shall be submitted to the~~  
370 ~~department for approval.~~

371 ~~1. The character development curriculum shall stress the~~  
372 ~~qualities and responsibilities of patriotism and~~  
373 ~~responsibility; citizenship, including, kindness; respect for~~  
374 ~~authority, life, liberty, and personal property; honesty;~~  
375 ~~charity; self-control; racial, ethnic, and religious tolerance;~~  
376 ~~and cooperation and.~~

377 ~~2. The character development curriculum for grades 9~~  
378 ~~through 12 shall, at a minimum, include instruction on~~  
379 ~~developing leadership skills, interpersonal skills, organization~~  
380 ~~skills, and research skills; creating a resume, including a~~  
381 ~~digital resume; exploring career pathways; using state career~~  
382 ~~planning resources; developing and practicing the skills~~  
383 ~~necessary for employment interviews; conflict resolution,~~

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384 ~~workplace ethics, and workplace law; managing stress and~~  
385 ~~expectations; and developing skills that enable students to~~  
386 ~~become more resilient and self-motivated.~~

387 ~~3. The character development curriculum~~ for grades 11 and  
388 ~~12, shall include instruction on~~ voting using the uniform  
389 primary and general election ballot described in s. 101.151(9).

390 (t) In order to encourage patriotism, the sacrifices that  
391 veterans and Medal of Honor recipients have made in serving our  
392 country and protecting democratic values worldwide. Such  
393 instruction must occur on or before Medal of Honor Day,  
394 Veterans' Day, and Memorial Day. Members of the instructional  
395 staff are encouraged to use the assistance of local veterans and  
396 Medal of Honor recipients when practicable.

397  
398 The State Board of Education is encouraged to adopt standards  
399 and pursue assessment of the requirements of this subsection.  
400 Instructional programming ~~A character development program~~ that  
401 incorporates the values of the recipients of the Congressional  
402 Medal of Honor and that is offered as part of a social studies,  
403 English Language Arts, or other schoolwide character building  
404 and veteran awareness initiative meets the requirements of  
405 paragraph (t) ~~paragraphs (s) and (t)~~.

406 (3) The Legislature acknowledges the fundamental truth  
407 that all persons are equal before the law and have inalienable  
408 rights. Accordingly, instruction and supporting materials on the

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409 topics enumerated in this section must be consistent with the  
410 following principles of individual freedom:

411 (a) No person is inherently racist, sexist, or oppressive,  
412 whether consciously or unconsciously, solely by virtue of their  
413 race or sex.

414 (b) No race is inherently superior to another race.

415 (c) No person should be discriminated against or receive  
416 adverse treatment solely or partly on the basis of race, color,  
417 national origin, religion, disability, gender, gender identity,  
418 sexual identity, or sex.

419 (d) Meritocracy or traits such as a hard work ethic are  
420 not racist but fundamental to the right to pursue happiness and  
421 be rewarded for industry.

422 (e) A person, by virtue of their race or sex, does not  
423 bear responsibility for actions committed in the past by other  
424 members of the same race or sex.

425 (f) A person should not be instructed that they must feel  
426 guilt, anguish, or other forms of psychological distress for  
427 actions, in which they played no part, committed in the past by  
428 other members of the same race or sex.

429  
430 Instructional personnel may facilitate discussions and use  
431 curricula to address, in an age-appropriate manner, how the  
432 freedoms of persons have been infringed by sexism, slavery,  
433 racial oppression, racial segregation, and racial

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434 discrimination, including topics relating to the enactment and  
435 enforcement of laws resulting in sexism, racial oppression,  
436 racial segregation, and racial discrimination, including how  
437 recognition of these freedoms have overturned these unjust laws.  
438 However, classroom instruction and curriculum may not be used to  
439 indoctrinate or persuade students to a particular point of view  
440 inconsistent with the principles of this subsection or state  
441 academic standards.

442 (4) The State Board of Education shall develop or adopt a  
443 curriculum to inspire future generations through motivating  
444 stories of American history that demonstrate important life  
445 skills and the principles of individual freedom that enabled  
446 persons to prosper even in the most difficult circumstances.  
447 This curriculum shall be known as "Stories of Inspiration" and  
448 made available to schools to implement the requirements of  
449 subsection (3).

450 Section 4. Paragraph (d) of subsection (2) of section  
451 1006.31, Florida Statutes, is amended to read:

452 1006.31 Duties of the Department of Education and school  
453 district instructional materials reviewer.—The duties of the  
454 instructional materials reviewer are:

455 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the  
456 selection criteria listed in s. 1006.34(2)(b) and recommend for  
457 adoption only those instructional materials aligned with the  
458 Next Generation Sunshine State Standards provided for in s.

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459 | 1003.41. Instructional materials recommended by each reviewer  
 460 | shall be, to the satisfaction of each reviewer, accurate,  
 461 | objective, balanced, noninflammatory, current, free of  
 462 | pornography and material prohibited under s. 847.012, and suited  
 463 | to student needs and their ability to comprehend the material  
 464 | presented. Reviewers shall consider for recommendation materials  
 465 | developed for academically talented students, such as students  
 466 | enrolled in advanced placement courses. When recommending  
 467 | instructional materials, each reviewer shall:

468 |       (d) Require, when appropriate to the comprehension of  
 469 | students, that materials for social science, history, or civics  
 470 | classes contain the Declaration of Independence and the  
 471 | Constitution of the United States. A reviewer may not recommend  
 472 | any instructional materials that contain any matter reflecting  
 473 | unfairly upon persons because of their race, color, creed,  
 474 | national origin, ancestry, gender, gender identity, sexual  
 475 | identity, religion, disability,

476 | -----  
 477 |

478 |                   **T I T L E   A M E N D M E N T**

479 | Remove line 11 and insert:  
 480 | construction; amending s. 1000.05, F.S.; prohibiting  
 481 | discrimination against students and employees in the  
 482 | Florida K-20 public education system based on a

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483 | person's sex, gender identity, or sexual identity;  
484 | providing

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