

26 members of a single-sex student organization and single-sex
27 student organizations are treated without bias in comparison to
28 students at an institution of higher education who are not
29 members of single-sex student organizations, or other social
30 organizations at an institution of higher education that do not
31 limit membership to only individuals of one sex, and also
32 protect the rights of students to freely associate with and
33 participate in social organizations, including single-sex
34 student organizations.

35 (2) DEFINITIONS.—As used in this section, the term:

36 (a) "Adverse action" means any of the following actions by
37 an institution of higher education, an administrative unit of
38 such institution, or an official of such institution acting in
39 his or her official capacity taken against a single-sex student
40 organization or a member or prospective member of a single-sex
41 student organization:

42 1. Expulsion, suspension, probation, censure,
43 condemnation, formal reprimand, or any other disciplinary
44 action, coercive action, or sanction.

45 2. Issuing an oral or written warning regarding an action
46 described in subparagraph 1.

47 3. Denying participation in any education program or
48 activity, including withholding any rights, privileges, or
49 opportunities.

50 4. Withholding, in whole or part, any financial assistance

51 or denying the opportunity to apply for financial assistance,
52 including scholarships, graduate fellowships, or on-campus
53 employment.

54 5. Denying or restricting access to on-campus housing.

55 6. Denying any certification, endorsement, or letter of
56 recommendation required by an employer, a government agency, a
57 licensing board, an institution of higher education, a
58 scholarship program, or a graduate fellowship.

59 7. Denying participation or a leadership position in any
60 other student organization.

61 8. Withdrawing official recognition of such organization.

62 9. Interjecting criteria into the membership practices of
63 such organization in any manner that conflicts with the
64 protections afforded under title IX of the Education Amendments
65 of 1972.

66 (b) "Institution of higher education" means a state
67 university, a Florida College System institution, or a private
68 college or university receiving aid under chapter 1009.

69 (c) "Single-sex student organization" means a social
70 fraternity or sorority as described in s. 501(c) of the Internal
71 Revenue Code of 1986 that is exempt from taxation under s.
72 501(a) of such code or an organization whose membership has been
73 historically single sex and whose active membership consists
74 primarily of students or alumni of an institution of higher
75 education.

76 (3) RIGHTS OF SINGLE-SEX ORGANIZATIONS AND THEIR MEMBERS
77 AT INSTITUTIONS OF HIGHER EDUCATION.—

78 (a) A student may form, join, and, if selected for
79 membership, participate in a student organization, including a
80 single-sex student organization, regardless of whether such
81 organization is officially recognized by an institution of
82 higher education.

83 (b) An institution of higher education may not take
84 adverse action against a student or single-sex organization
85 based solely on that organization's status as a single-sex
86 student organization or that student's membership in such
87 organization.

88 (c) An institution of higher education may not impose a
89 restriction on forming or joining a single-sex student
90 organization unless the restriction is equally applied to all
91 students and student organizations or mutually agreed to in
92 writing between such organization and institution.

93 (d) An institution of higher education shall grant a
94 single-sex student organization the same procedural protections
95 afforded to any other student organization under such
96 institution's code of conduct or other relevant regulations.

97 (e) An institution of higher education may not impose
98 reporting requirements on a single-sex student organization
99 unless the requirement is also required of all student
100 organizations or unless mutually agreed to in writing between

101 the single-sex student organization and the institution.

102 (4) CONSTRUCTION.—This section does not:

103 (a) Require an institution of higher education to
104 officially recognize a student organization, including a single-
105 sex student organization.

106 (b) Prohibit an institution of higher education from
107 taking adverse action against a student, so long as that adverse
108 action is not based solely on the student's membership in a
109 single-sex student organization or the membership practices of
110 such organization.

111 (c) Prevent any single-sex student organization from
112 regulating its own membership.

113 (d) Inhibit or prohibit the ability of the faculty of an
114 institution of higher education to express an opinion, either
115 individually or collectively, about membership in a single-sex
116 student organization, or otherwise inhibit the academic freedom
117 of such faculty to research, write, or publish material about
118 membership in such organization.

119 (e) Create enforceable rights against a single-sex student
120 organization or an institution of higher education due to the
121 decision of such organization to deny membership to an
122 individual student.

123 (5) PENALTIES.—An institution of higher education that
124 violates this section shall:

125 (a) For a first offense, post on its website notice of the

126 | violation.

127 | (b) For a second offense, pay a fine of \$10,000 to the
 128 | governing council or councils of the single-sex student
 129 | organization or organizations which such offense is against.

130 | (c) For a third or subsequent offense, pay a fine of
 131 | \$25,000 to the governing council or councils of the single-sex
 132 | student organization or organizations which such offense is
 133 | against.

134 | (6) RULES AND REGULATIONS.—The State Board of Education
 135 | and the Board of Governors shall adopt rules and regulations,
 136 | respectively, to administer this section.

137 | Section 2. This act shall take effect July 1, 2024.