

By the Committee on Judiciary; and Senator Gruters

590-04032-19

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1 A bill to be entitled

2 An act relating to anti-Semitism; amending s. 1000.05,  
3 F.S.; prohibiting discrimination in the Florida K-20  
4 public education system based on religion; requiring  
5 public K-20 educational institutions to take into  
6 consideration anti-Semitism under certain instances of  
7 discrimination; defining the term "anti-Semitism";  
8 providing an exception; providing construction;  
9 amending s. 1002.20, F.S.; conforming provisions to  
10 changes made by the act; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Present subsection (7) of section 1000.05,  
15 Florida Statutes, is redesignated as subsection (8), a new  
16 subsection (7) is added to that section, and paragraphs (a),  
17 (b), (c), and (e) of subsection (2) are amended, to read:

18 1000.05 Discrimination against students and employees in  
19 the Florida K-20 public education system prohibited; equality of  
20 access required.—

21 (2) (a) Discrimination on the basis of race, ethnicity,  
22 national origin, gender, disability, religion, or marital status  
23 against a student or an employee in the state system of public  
24 K-20 education is prohibited. No person in this state shall, on  
25 the basis of race, ethnicity, national origin, gender,  
26 disability, religion, or marital status, be excluded from  
27 participation in, be denied the benefits of, or be subjected to  
28 discrimination under any public K-20 education program or  
29 activity, or in any employment conditions or practices,

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30 conducted by a public educational institution that receives or  
31 benefits from federal or state financial assistance.

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

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

44 (e) Guidance services, counseling services, and financial  
45 assistance services in the state public K-20 education system  
46 shall be available to students equally. Guidance and counseling  
47 services, materials, and promotional events shall stress access  
48 to academic and career opportunities for students without regard  
49 to race, ethnicity, national origin, gender, disability,  
50 religion, or marital status.

51 (7) A public K-20 educational institution must treat  
52 discrimination by students or employees or resulting from  
53 institutional policies motivated by anti-Semitic intent in an  
54 identical manner to discrimination motivated by race. For  
55 purposes of this section, the term "anti-Semitism" includes a  
56 certain perception of the Jewish people, which may be expressed  
57 as hatred toward Jewish people, rhetorical and physical  
58 manifestations of anti-Semitism directed toward a person, his or

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59 her property, or toward Jewish community institutions or  
60 religious facilities.

61 (a) Examples of anti-Semitism include:

62 1. Calling for, aiding, or justifying the killing or  
63 harming of Jews, often in the name of a radical ideology or an  
64 extremist view of religion.

65 2. Making mendacious, dehumanizing, demonizing, or  
66 stereotypical allegations about Jews as such or the power of  
67 Jews as a collective, especially, but not exclusively, the myth  
68 about a world Jewish conspiracy or of Jews controlling the  
69 media, economy, government, or other societal institutions.

70 3. Accusing Jews as a people of being responsible for real  
71 or imagined wrongdoings committed by a single Jewish person or  
72 group, the State of Israel, or even for acts committed by non-  
73 Jews.

74 4. Accusing Jews as a people or the State of Israel of  
75 inventing or exaggerating the Holocaust.

76 5. Accusing Jewish citizens of being more loyal to Israel,  
77 or the alleged priorities of Jews worldwide, than to the  
78 interest of their own nations.

79 (b) Examples of anti-Semitism related to Israel include:

80 1. Demonizing Israel by using the symbols and images  
81 associated with classic anti-Semitism to characterize Israel or  
82 Israelis, drawing comparisons of contemporary Israeli policy to  
83 that of the Nazis, or blaming Israel for all interreligious or  
84 political tensions.

85 2. Applying a double standard to Israel by requiring  
86 behavior of Israel that is not expected or demanded of any other  
87 democratic nation, or focusing peace or human rights

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88 investigations only on Israel.

89 3. Delegitimizing Israel by denying the Jewish people their  
90 right to self-determination and denying Israel the right to  
91 exist.

92  
93 However, criticism of Israel that is similar to criticism toward  
94 any other country may not be regarded as anti-Semitic.

95 (c) Nothing in this subsection shall be construed to  
96 diminish or infringe upon any right protected under the First  
97 Amendment to the United States Constitution, or the State  
98 Constitution. Nothing in this subsection shall be construed to  
99 conflict with federal or state discrimination laws.

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

102 1002.20 K-12 student and parent rights.—Parents of public  
103 school students must receive accurate and timely information  
104 regarding their child's academic progress and must be informed  
105 of ways they can help their child to succeed in school. K-12  
106 students and their parents are afforded numerous statutory  
107 rights including, but not limited to, the following:

108 (7) NONDISCRIMINATION.—All education programs, activities,  
109 and opportunities offered by public educational institutions  
110 must be made available without discrimination on the basis of  
111 race, ethnicity, national origin, gender, disability, religion,  
112 or marital status, in accordance with the provisions of s.  
113 1000.05.

114 Section 3. This act shall take effect upon becoming a law.