Senator Powell moved the following:

**Senate Amendment (with title amendment)**

Delete lines 117 - 279

and insert:

(2)(a) Discrimination on the basis of race, ethnicity, national origin, sex gender, disability, religion, or marital status against a student or an employee in the state system of public K-20 education is prohibited. No person in this state shall, on the basis of race, ethnicity, national origin, sex gender, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be
subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.

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

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

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

(e) Guidance services, counseling services, and financial assistance services in the state public K-20 education system shall be available to students equally. Guidance and counseling services, materials, and promotional events shall stress access to academic and career opportunities for students without regard to race, ethnicity, national origin, sex gender, disability,
3/8/2022 4:45:07 PM  30-03494-22

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

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

(c) This subsection does not prohibit the grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex gender. However, when use of a single standard of measuring skill or progress in a physical education class has an adverse effect on members of one sex gender, the educational institution shall use appropriate standards which do not have such effect.

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

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

2. The Commissioner of Education shall determine whether equal opportunities are available in school districts and Florida College System institutions. In determining whether equal opportunities are available in school districts and Florida College System institutions, the Commissioner of Education shall consider, among other factors:
   a. Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes genders.
   b. The provision of equipment and supplies.
   c. Scheduling of games and practice times.
   d. Travel and per diem allowances.
   e. Opportunities to receive coaching and academic tutoring.
   f. Assignment and compensation of coaches and tutors.
   g. Provision of locker room, practice, and competitive facilities.
   h. Provision of medical and training facilities and services.
   i. Provision of housing and dining facilities and services.
   j. Publicity.

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

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

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

1. Members of one race, ethnicity, national origin, or sex are morally superior to members of another race, ethnicity, national origin, or sex.

2. A person, by virtue of his or her race, ethnicity, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. A person’s moral character or status as either privileged or oppressed is necessarily determined by his or her race, ethnicity, national origin, or sex.

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

5. A person, by virtue of his or her race, ethnicity, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of,
actions committed in the past by other members of the same race, ethnicity, national origin, or sex.

6. A person, by virtue of his or her race, ethnicity, national origin, or sex should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.

7. A person, by virtue of his or her race, ethnicity, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, ethnicity, national origin, or sex.

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

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

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

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

(d) Conducting studies of the effectiveness of methods and strategies designed to increase the participation of students in programs and courses in which students of a particular race, ethnicity, national origin, sex, gender, disability, or

And the title is amended as follows:

Delete line 16

and insert:

race, ethnicity, sex, or national origin; conforming