Senator Taddeo moved the following:

Senate Amendment (with title amendment)

Delete lines 60 - 226
and insert:

Section 1. Present subsections (4) through (8) of section 1000.05, Florida Statutes, are redesignated as subsections (5) through (9), respectively, subsections (2) and (3), present subsection (4), and paragraph (d) of present subsection (6) are amended, and a new subsection (4) is added to that section, to read:

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

(2)(a) Discrimination on the basis of race, color, 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, color, 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, color, 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, color, 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, color, ethnicity, national origin, sex, disability, religion, or marital status.

(3)(a) No person shall, on the basis of sex, 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 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 but does not operate or sponsor such a team for members of the other sex, and athletic opportunities for that sex have previously been limited, members of the excluded sex 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 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 in assessing equality of opportunity for members of each sex.

(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.

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

And the title is amended as follows:

Delete lines 3 - 12

and insert:

1000.05, F.S.; providing that subjecting any student
to training or