Representative Arrington offered the following:

Amendment (with title amendment)

Remove lines 49-331 and insert:

Section 1. Subsections (2), (3), and (4), and paragraph (d) of subsection (6) of section 1000.05, Florida Statutes, are amended 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 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 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.
(4) Public schools and Florida College System institutions shall develop and implement methods and strategies to increase the participation of students of a particular race, color, ethnicity, national origin, sex, gender, disability, or marital status in programs and courses in which students of that particular race, color, 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.

(6) 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, color, ethnicity, national origin, sex, gender, disability, or marital status have been traditionally underrepresented and monitoring the success of students in such programs or courses, including performing followup monitoring.

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

1003.42  Required instruction.—

(1)  

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

(2)  Members of the instructional staff of the public
schools, subject to the rules of the State Board of Education
and the district school board, shall teach efficiently and
faithfully, using the books and materials required that meet the
highest standards for professionalism and historical accuracy,
following the prescribed courses of study, and employing
approved methods of instruction, the following:

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

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

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

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

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

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g) 1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an
investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism, as described in s. 1000.05(7), and the

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TITLE AMENDMENT

Remove lines 3-16 and insert:

1000.05, F.S.; conforming