

By Senator Brodeur

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1 A bill to be entitled
2 An act relating to single-sex student organizations;
3 creating s. 1006.7511, F.S.; providing legislative
4 intent; providing definitions; providing the rights of
5 members of single-sex student organizations and
6 single-sex student organizations; providing
7 construction; providing penalties; requiring the State
8 Board of Education and the Board of Governors to adopt
9 rules and regulations, respectively; providing an
10 effective date.

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

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14 Section 1. Section 1006.7511, Florida Statutes, is created
15 to read:

16 1006.7511 Single-sex Student Organizations' Bill of
17 Rights.-

18 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
19 to protect students who are members and prospective members of a
20 single-sex student organization and single-sex student
21 organizations from adverse action by an institution of higher
22 education based solely on the student's membership in the
23 organization or the organization's practice of limiting
24 membership to only individuals of one sex. It is further the
25 intent of the Legislature to ensure that students who are
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

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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, condemnation,
43 formal reprimand, or any other disciplinary action, coercive
44 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.

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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 AT
77 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 adverse
84 action against a student or single-sex organization based solely
85 on that organization's status as a single-sex student
86 organization or that student's membership in such organization.

87 (c) An institution of higher education may not impose a

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88 restriction on forming or joining a single-sex student
89 organization unless the restriction is equally applied to all
90 students and student organizations or mutually agreed to in
91 writing between such organization and institution.

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

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

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

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

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

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

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

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117 membership in such organization.

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

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

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

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

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

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

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