

6A-10.086 School Board and Charter School Governing Board Policies or Procedures for Parental

Notification Regarding Designation of Bathrooms, Locker Rooms, and Dressing Rooms

(1) School Board and Charter School Governing Board Policies or Procedures for Bathrooms and Locker Rooms, which include Dressing Rooms. Any policies or procedures adopted or implemented by a school board or a charter school governing board for bathrooms and locker rooms must:

(a) Ensure the health, safety, and welfare of Florida's students;

(b) Be consistent with the Parents' Bill of Rights created under Chapter 1014, F.S.;

(c) Protect the privacy of educational records as set forth in s. 1002.22, F.S., as well as the privacy interests of all students and parents; and

(d) Provide for parental notification as set forth in subsection (2) of this rule.

(2) Parental Notification.

(a) If a school board or charter school governing board has a policy or procedure that allows for separation of bathrooms or locker rooms according to some criteria other than biological sex at birth, the policy or procedure must be posted on the district's website or charter school's website, and must be sent by mail to student residences to fully inform parents. The policy or procedure must include, at a minimum, the following:

1. Method of student supervision provided for locker rooms, for example a coach or aide, and how that method of supervision ensures the safety and privacy of students; and

2. Which locker rooms are not separated by biological sex at birth; and

3. Which bathrooms are not separated by biological sex at birth.

(b) School board and charter school governing board policies or procedures must include accommodations or modifications in order to ensure that all students have an opportunity to use a bathroom or locker room separated by biological sex at birth.

(3) Exceptions. The requirements for parental notification in subsection (2) do not apply to faculty bathrooms that are not accessible to students, and single occupancy bathrooms.

Rulemaking Authority 1000.05(6)(a), 1001.02(1), (2)(n) FS. Law Implemented 1000.05(3) FS. History-New