

6A-6.0963 Facility Requirements in K-12 Private Schools.

(1) Purpose. The purpose of this rule is to provide requirements that private schools must use regarding the compliance of K-12 educational institutions with Section 553.865, F.S.

(2) Compliance. Private schools must comply with all applicable requirements of Section 553.865, F.S., pertaining to the use of restrooms and changing facilities by males or females, based on biological sex at birth, including the paragraphs that require the following:

(a) That restrooms are designated for exclusive use by males or females, as defined by Section 553.865(3), F.S., or that there is a unisex restroom.

(b) That changing facilities are designated for exclusive use by males or females, as defined by Section 553.865(3), F.S., or that there is a unisex changing facility.

(c) That the student code of conduct has been updated according to Section 553.865(9)(a), F.S.

(d) That the private school has established disciplinary procedures for employees according to Section 553.865(9)(d), F.S.

(3) Instructional personnel and administrative personnel as described in Section 1012.01(2)-(3), F.S., or the equivalent of such personnel for a private school, who violate any provision of Section 553.865, F.S., commit a violation of the Principles of Professional Conduct for the Education Profession under Rule 6A-10.081, F.A.C.

(4) Format. By April 1, 2024, each private school must submit the Private School Annual Survey documenting compliance with Section 553.865, F.S. The annual survey is required under Section 1002.42, F.S., and is hereby incorporated by reference as Form IEPC-PSAS, effective September 2023. The annual survey is available at the following link: <https://www.fldoe.org/schools/school-choice/private-schools/annual-survey.stml>.

Rulemaking Authority 553.865(16), 1000.05(6)(a), 1001.02(1), (2)(n) FS. Law Implemented 553.865, 1000.05(3) FS. History--New