



SAFETY IN PRIVATE SPACES ACT

Pursuant to Section 553.865(9)(a), Florida Statutes, each educational institution shall, within its code of student conduct, establish disciplinary procedures for any student who willfully enters, for a purpose other than those listed below: a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by any instructional personnel as described in s. 1012.01(2), 212 administrative personnel as described in s. 1012.01(3), or a 213 safe-school officer as described in s. 1006.12(1)-(4).

For purposes of this section, pursuant to Section 553.865(6), Florida Statutes "a person may only enter a restroom or changing facility designated for the opposite sex under the following circumstances:

- (a) To accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, an elderly person as defined in s. 825.101, or a person with a disability as defined in s. 760.22 or a developmental disability as defined in s. 393.063;
- (b) For law enforcement or governmental regulatory purposes;
- (c) For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;
- (d) For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
- (e) If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex."

The following definitions apply pursuant to Section 553.865(3), Florida Statutes:

- "Changing facility" means a room in which two or more persons may be in a state of undress in the presence of others, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room."
- "'Educational institution" means a K-12 educational institution or facility or a postsecondary educational institution or facility."
- "'Female" means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing eggs."
- "'Male" means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing sperm."
- "'Restroom" means a room that includes one or more water closets. This term does not include a unisex restroom."
- "'Sex" means the classification of a person as either female or male based on the organization of the body of such person for a specific reproductive role, as indicated by the person's sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth."

- "Unisex changing facility" means a room intended for a single occupant or a family in which one or more persons may be in a state of undress, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room that is enclosed by floor-to-ceiling walls and accessed by a full door with a secure lock that prevents another individual from entering while the changing facility is in use."
- "Unisex restroom" means a room that includes one or more water closets and that is intended for a single occupant or a family, is enclosed by floor-to-ceiling walls, and is accessed by a full door with a secure lock that prevents another individual from entering while the room is in use."
- "'Water closet" means a toilet or urinal."

Violations of the policy will result in disciplinary action pursuant to the Code.