

## 6E-7.001 Designation of Restrooms and Changing Facilities in Private Postsecondary Educational

### Institutions

(1) Purpose. The purpose of this rule is to provide requirements regarding restroom and changing facilities at colleges and universities licensed by the Commission for Independent Education and at institutions not under the jurisdiction or purview of the commission, as identified in s. 1005.06 (1)(b)-(f), Florida Statutes (F.S.) pursuant to s. 553.865, F.S.

(2) Compliance. Colleges and universities licensed by the Commission for Independent Education, and institutions not under the jurisdiction or purview of the commission, as identified in s. 1005.06(1)(b)-(f), F.S., must comply with all applicable requirements of s. 553.865, F.S., and update policies and procedures pertaining to the use of restrooms and changing facilities by males or females based on biological sex at birth. This includes, but is not limited to, the following:

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

(c) That disciplinary policies for administrative personnel and instructional personnel have been established that comply with s. 553.865(9)(d), F.S.

(d) That the student handbook, disciplinary procedures, and code of conduct have been updated according to s. 553.865(9)(a), F.S.

(e) That the employee handbook, disciplinary procedures, and code of conduct have been updated according to s. 553.865(9)(d), F.S.

(f) That the student and employee handbooks, disciplinary procedures, and codes of conduct provide notice to students, administrative personnel, instructional personnel, security personnel and law enforcement personnel of the right to file a complaint with the Attorney General alleging that the college, university, or institution not under the purview of the commission, as identified in s. 1005.06(1)(b)-(f), F.S., has failed to meet the minimum requirements for restrooms and changing facilities under ss. 553.865(4) and (5), F.S.

(g) That procedures have been established for when any person, not a student or administrative personnel or instructional personnel, improperly enters a restroom or changing facility designated for the opposite sex on the

premises of a college or university licensed by the Commission for Independent Education, or on the premises of an institution not under the purview of the commission, as identified in s. 1005.06(1)(b)-(f), F.S., and refuses to depart when asked to do so by administrative personnel, instructional personnel, security personnel, or law enforcement personnel.

(3) Reporting. By April 1, 2024, the owner, director or designated administrator of each college and university licensed by the Commission for Independent Education, and each institution not under the purview of the commission, as identified in s. 1005.06(1)(b)-(f), F.S., must submit the Safety in Private Spaces Act Certification of Compliance, CIE form 901, effective November 2023, which is hereby incorporated by reference, to the Commission for Independent Education via email at [cieinfo@fldoe.org](mailto:cieinfo@fldoe.org), certifying that the college, university, or institution maintains restrooms or changing facilities that meet the requirements of ss. 553.865(4) and (5), F.S. The certification submitted by the college, university or institution will encompass all facilities on all campuses, centers, and special purpose centers. Student housing facilities owned or operated by the college, university, or institution are also subject to this rule and must be included in the certification. If a college, university, or institution is established or acquired after July 1, 2023, the owner, director or designated administrator must submit CIE Form 901 within one (1) year of establishment or acquisition. A college or university licensed by the Commission for Independent Education that fails to timely submit the Safety in Private Spaces Act Certification of Compliance, CIE form 901, certifying compliance with ss. 553.865(4) and (5), F.S., is subject to disciplinary action, up to and including revocation of license.

(4) Institutional Disciplinary Actions. Colleges and universities licensed by the Commission for Independent Education, and institutions not under the jurisdiction or purview of the commission, as identified in s. 1005.06(1)(b)-(f), F.S., must establish a disciplinary policy for administrative personnel and instructional personnel who violate s. 553.865(9)(d), F.S.

(5) An individual certified by the Florida Department of Education may face discipline relating to that certificate pursuant to s. 1012.795, F.S., for violating any provision of s. 553.865, F.S.

*Rulemaking Authority 553.865(16), 1005.22(1)(e), 1005.31 FS, Law Implemented 553.865(12)(e), 1005.31 FS.*

*History–New*