



October 16, 2023

M E M O R A N D U M

TO: Jim Murdaugh, Ph.D.
President

FROM: Barbara Wills, Ph.D.
Vice President for Administrative Services and Chief Business Officer

SUBJECT: Policy Manual Changes

Item Description

This item requests Board approval of Policy Manual changes in chapter 7000 – Property.

Overview and Background

The College brings forth a request to modify the College's Policy Manual: creation of Policy 7421 - Restrooms and Changing Facilities provides for appropriate restrooms and changing facilities for students and employees as mandated by F.S. 553.865.

Funding/ Financial Implications

N/A

Past Actions by the Board

The Board approved previous revisions to the College's Policy Manual in September 2023.

Recommended Action

Approve revision of College policies as presented.



Book	Policy Manual
Section	October 2023
Title	RESTROOMS AND CHANGING FACILITIES
Code	po7421
Status	
Legal	F.S. 1000.05

7421 - RESTROOMS AND CHANGING FACILITIES

The College provides appropriate restrooms and changing facilities for students and employees on all its campuses.

Definitions

For purposes of this policy, the following definitions apply:

“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.

“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.

Restrooms and Changing Facilities

For restrooms, the College maintains a number of restrooms designated for exclusive use by females and males.

For changing facilities, the College maintains a number of changing facilities designated for exclusive use by females and males.

Access to Restrooms and Changing Facilities

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 F.S. 825.101, or a person with a disability as defined in F.S. 760.22 or a developmental disability as defined in F.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.
- 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.

Violations of this Policy (Students)

Any student who willfully enters, for a purpose other than those listed in (A) through (E) above, a restroom or changing facility designated for the opposite sex of the College facilities and refuses to depart when asked to do so by any administrative personnel, a faculty member, security personnel, or law enforcement personnel is subject to discipline in accordance with the Student Code of Conduct. Prior to the administration of discipline, the College will follow the investigative procedure outlined in Policy 8420.

Violations of this Policy (Employees)

Instructional personnel or administrative personnel who willfully enter, for a purpose other than those listed in (A) through (E) above, a restroom or changing facility designated for the opposite sex on the premises of the College's facilities and refuse to depart when asked to do so by any administrative personnel, a faculty member, security personnel, or law enforcement personnel are subject to disciplinary action up to and including termination in accordance with the College's Employee Standards of Conduct Policy and employee discipline Policies 1210, 2460, and 3210. A second offense of this nature will result in immediate termination. Prior to the administration of discipline, the College will follow the investigative procedure outlined in Policy 8420.

Violations of this Policy (Excluding Students, Administrative Personnel, and Instructional Personnel)

Any person who willfully enters, for a purpose other than those listed in (A) through (E) above, a restroom or changing facility designated for the opposite sex on the premises of a College facility and refuses to depart when asked to do so by any instructional personnel, administrative personnel, a faculty member, a safe-school officer, security personnel, or law enforcement personnel commits the offense of trespass as provided in F.S. 810.08.

This paragraph does not apply to College students or College administrative and instructional personnel.

Exceptions to Policy

This policy does not apply to an individual who is or has been under treatment by a physician who, in his or her good faith clinical judgment, performs procedures upon or provides therapies to a minor born with a medically verifiable genetic disorder of sexual development, including any of the following:

- A. External biological sex characteristics that are unresolvably ambiguous.
- B. A disorder of sexual development in which the physician has determined through genetic or biochemical testing that the patient does not have a normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female, as applicable.

Complaint Notification

Students, administrative personnel, faculty members, and security and law enforcement personnel have the right to file a complaint with the Attorney General alleging that the educational institution failed to meet the minimum requirements for restrooms and changing facilities under s. 553.865(4) and (5), F.S.

Compliance Reporting

The College shall submit documentation to the State Board of Education regarding compliance with F.S. 553.865, as applicable, within one (1) year after being established or, if the facility was established before July 1, 2023, no later than April 1, 2024.

© Neola 2023