

**POLICY ON SCHOOL BATHROOMS, LOCKER ROOMS,  
AND DRESSING ROOMS**

Adopted and Effective: 9-26-2023

This is the Policy on School Bathrooms, Locker Rooms, and Dressing Rooms of Burns Science and Technology Charter School (the "School"). This policy is implemented to comply with the requirements of Rule 6A-10.086, Florida Administrative Code, Section 553.865, Florida Statutes, and other relevant laws.

**1. Purpose.** This policy is intended to inform parents of how bathrooms, locker rooms, and dressing rooms are designated by the School, and to ensure the health, safety, and welfare of students when utilizing bathrooms, locker rooms, and dressing rooms.

**2. Policy.** Pursuant to Rule 6A-10.086(2)(a), Florida Administrative Code, all restrooms and changing facilities on campus are separated by Sex<sup>1</sup>. It is the policy of the School that all students, faculty, personnel, and guests of the School will use bathrooms, locker rooms, and dressing rooms that correspond with the individual's Sex. This means individuals whose designated sex at birth was male will be required to use those bathrooms, locker rooms, and dressing rooms designated for men, and individuals whose designated Sex at birth was female will be required to use those bathrooms, locker rooms, and dressing rooms designated for women. Individuals may also use single occupancy bathrooms that are gender neutral *if available*. Students are not permitted to utilize bathrooms that are designated exclusively for the school faculty. 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 Section 825.101 F.S., or a person with a disability as defined in Section 760.22 F.S. or a developmental disability as defined in Section 393.063 F.S.;
- 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;

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<sup>1</sup> "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.

- 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.

In enforcing this policy, school personnel may reasonably rely upon representations made or documentation provided by the parent or guardian at initial enrollment, or such other records available to the administration. In the event of any inconsistency in the student's records, the administration reserves the right to request additional documentation from the parent or guardian to verify the student's biological sex at birth. This policy shall at all times be construed in accordance with state and federal law.

3. **Violations.** Pursuant to Section 553.865(9), F.S., instructional personnel or administrative who willfully enter, for a purpose other than those listed above, a restroom or changing facility designated for the opposite sex on campus and refuse to depart when asked to do so commit a violation of the Principles of Professional Conduct for the Education Profession and are subject to discipline pursuant to Section 1012.795 F.S.

Any student who willfully enters, for a purpose other than those listed above, a restroom or changing facility designated for the opposite sex and refuses to depart when asked to do so by instructional personnel, administrative personnel, or a safe-school officer will be subject to the disciplinary procedures provided in the Student Code of Conduct Discipline Guide.

Any person who willfully enters, for a purpose other than those listed above, a restroom or changing facility designated for the opposite sex on campus and refuses to depart when asked to do so commits the offense of trespass as provided in Section 810.08 F.S. This paragraph does not apply to a student of the educational institution or to administrative personnel or instructional personnel of the educational institution. Trespassers will be immediately removed from campus and will be subject to applicable legal action.

4. **Exceptions.** This section 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 unresolvedly 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.

5. **Privacy of Information.** In carrying out this policy, school personnel are required to maintain the privacy of all educational records as set forth in Section 1012.22, Florida Statutes, and to respect the privacy interests of all students and parents.

6. **Parental Notification.** A copy of this policy shall be made available on the School's website and incorporated into the School's Parent & Student Handbook to fully inform parents.

**Board Secretary Certificate**

I hereby certify that the foregoing Policy on School Bathrooms, Locker Rooms, and Dressing Rooms was adopted by a majority vote of a quorum of the Governing Board of Directors at a duly noticed meeting held on \_\_\_\_\_.



Board Secretary / Board chair

Albert Amalfitano

Printed Name

9-28-2023