Greetings New College of Florida community. I am writing to notify every one of the requirements of the recent State of Florida House Bill 1521, Facility Requirements Based on Sex (“Bill”). The Bill created section 553.865, Florida Statutes, (known as the “Safety in Private Spaces Act”) and provides restrooms and changing facilities for exclusive use by females or males, respective to their sex, in order to maintain public safety, decency, decorum, and privacy.

The Bill establishes a procedure for individuals to notify authorized persons if a person of the opposite sex has entered into a restroom or changing facility designated for exclusive use of the other sex and refuses to leave.

The Bill defines sex as follows:

“Female” means “a person belonging, at birth, to the biological sex which has the specific reproductive role of producing eggs”; and

“Male” means “a person belonging, at birth, to the biological sex which has the specific reproductive role of producing sperm.”

The Bill specifies university instructional and administrative personnel, and other persons of authority, are authorized to request another person depart from restrooms or changing facilities designated for the opposite sex on university premises. The definition of instructional and administrative personnel can be found in sections 1012.01(2) and (3), Florida Statutes.

The Bill requires the university to apply disciplinary procedures for employees, students, certain persons under its control, and other personnel described in the Bill who willfully enter a restroom or changing facility designated for the opposite sex on the premises of the university and who refuse to depart when asked to do so by an authorized person.

The Bill provides that any person who is not affiliated with the university and willfully enters a restroom or changing facility designated for the opposite sex on the premises of the university and refuses to depart when asked to do so by a person authorized to make such a request, commits the criminal offense of trespass.

The Bill requires the university to establish, in its code of student conduct, disciplinary procedures for any student who willfully enters a restroom or changing facility designated for the opposite sex on the premises of the university and refuses to depart when asked to do so by an authorized person. As such, the Student Code of Conduct is being updated to specifically address the requirements of the Bill.

In order to comply with the requirements of the Bill, faculty and staff shall promptly report any instances of noncompliance with these requirements to the Office of the General Counsel and to the Chief Compliance Officer. The Campus Police will charge non affiliates who refuse to leave the restroom with trespassing.

The Facilities Department has confirmed all unisex restrooms are intended for single occupancy and all separate sex restrooms are clearly labeled.

Please join me in supporting the university’s efforts to comply with the requirements of the Bill.