

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED NEW REGULATION**

DATE: September 20, 2023

REGULATION NUMBER AND TITLE: 14.010, Designation of Restrooms and Changing Facilities

SUMMARY:

The new regulation is being developed in connection with HB 1521, now section 533.865, Florida Statutes, which provides, among other things, that specific requirements be met regarding authorized use of restrooms and changing facilities in all university facilities. It requires the Board of Governors to develop regulations establishing procedures to carry out requirements of the section no later than January 1, 2024.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO PROPOSE REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED REGULATION: Kevin Pichard, Director, Finance and Facilities

COMMENTS REGARDING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

General Counsel, Board of Governors, State University System, 325 W. Gaines St., Suite 1614, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), or generalcounsel@flbog.edu.

14.010 Designation of Restrooms and Changing Facilities

(1) This regulation serves to promulgate the requirements of, and compliance with, section 553.865, Florida Statutes, which applies to State universities (herein "University").

(2) Each State university shall comply fully with s. 553.865, F.S., which includes, but is not limited to, the following requirements:

(a) A University that maintains a water closet must, at a minimum, have:

- (i) Restrooms designated for exclusive use by females and restrooms designated for exclusive use by males; or
- (ii) Unisex restrooms.

(b) A University that maintains a changing facility must, at a minimum, have:

- (i) Changing facilities designated for exclusive use by females and changing facilities designated for exclusive use by males; or
- (ii) Unisex changing facilities.

(c) A University must update and maintain, as needed, its student code of conduct to comply with s. 553.865, F.S.

(3) Permissible sex identification signage shall be that which complies with Florida Building Code and clearly designates intended usage pursuant to and compliant with s. 553.865, F.S.

(4) University employees who violate s. 553.865, F.S., are subject to their university's established disciplinary procedures, which must include disciplinary actions up to and including dismissal.

(5) By April 1, 2024, each University board of trustees or designee must submit documentation to the Board of Governors, certifying that the University is in compliance with the requirements of s. 553.865, F.S. Requisite documentation will be in accordance with the instructions, guidelines, and standard formats provided by the Chancellor. If a new facility is established or acquired after July 1, 2023, the required documentation must be submitted within one year of establishment or acquisition.

Authority: Section 7(d), Article IX, Florida Constitution, History – Adopted xx-xx-xx