

ENROLLED

CS/HB7, Engrossed 2

2022 Legislature

51 | amending s. 1012.98, F.S.; requiring the Department of  
 52 | Education to review school district professional  
 53 | development systems for compliance with certain  
 54 | provisions of law; amending ss. 1002.20 and 1006.40,  
 55 | F.S.; conforming cross-references; providing an  
 56 | effective date.

57 |  
 58 | Be It Enacted by the Legislature of the State of Florida:

59 |  
 60 | Section 1. Subsections (8) through (10) of section 760.10,  
 61 | Florida Statutes, are renumbered as subsections (9) through  
 62 | (11), respectively, and a new subsection (8) is added to that  
 63 | section, to read:

64 | 760.10 Unlawful employment practices.—

65 | (8)(a) Subjecting any individual, as a condition of  
 66 | employment, membership, certification, licensing, credentialing,  
 67 | or passing an examination, to training, instruction, or any  
 68 | other required activity that espouses, promotes, advances,  
 69 | inculcates, or compels such individual to believe any of the  
 70 | following concepts constitutes discrimination based on race,  
 71 | color, sex, or national origin under this section:

72 | 1. Members of one race, color, sex, or national origin are  
 73 | morally superior to members of another race, color, sex, or  
 74 | national origin.

75 | 2. An individual, by virtue of his or her race, color,

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76 sex, or national origin, is inherently racist, sexist, or  
 77 oppressive, whether consciously or unconsciously.

78 3. An individual's moral character or status as either  
 79 privileged or oppressed is necessarily determined by his or her  
 80 race, color, sex, or national origin.

81 4. Members of one race, color, sex, or national origin  
 82 cannot and should not attempt to treat others without respect to  
 83 race, color, sex, or national origin.

84 5. An individual, by virtue of his or her race, color,  
 85 sex, or national origin, bears responsibility for, or should be  
 86 discriminated against or receive adverse treatment because of,  
 87 actions committed in the past by other members of the same race,  
 88 color, sex, or national origin.

89 6. An individual, by virtue of his or her race, color,  
 90 sex, or national origin, should be discriminated against or  
 91 receive adverse treatment to achieve diversity, equity, or  
 92 inclusion.

93 7. An individual, by virtue of his or her race, color,  
 94 sex, or national origin, bears personal responsibility for and  
 95 must feel guilt, anguish, or other forms of psychological  
 96 distress because of actions, in which the individual played no  
 97 part, committed in the past by other members of the same race,  
 98 color, sex, or national origin.

99 8. Such virtues as merit, excellence, hard work, fairness,  
 100 neutrality, objectivity, and racial colorblindness are racist or

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101 sexist, or were created by members of a particular race, color,  
 102 sex, or national origin to oppress members of another race,  
 103 color, sex, or national origin.

104 (b) Paragraph (a) may not be construed to prohibit  
 105 discussion of the concepts listed therein as part of a course of  
 106 training or instruction, provided such training or instruction  
 107 is given in an objective manner without endorsement of the  
 108 concepts.

109 Section 2. Subsections (4) through (8) of section 1000.05,  
 110 Florida Statutes, are renumbered as subsections (5) through (9),  
 111 respectively, subsections (2) and (3), present subsection (4),  
 112 and paragraph (d) of present subsection (6) are amended, and a  
 113 new subsection (4) is added to that section, to read:

114 1000.05 Discrimination against students and employees in  
 115 the Florida K-20 public education system prohibited; equality of  
 116 access required.—

117 (2)(a) Discrimination on the basis of race, color  
 118 ~~ethnicity~~, national origin, sex ~~gender~~, disability, religion, or  
 119 marital status against a student or an employee in the state  
 120 system of public K-20 education is prohibited. No person in this  
 121 state shall, on the basis of race, color ~~ethnicity~~, national  
 122 origin, sex ~~gender~~, disability, religion, or marital status, be  
 123 excluded from participation in, be denied the benefits of, or be  
 124 subjected to discrimination under any public K-20 education  
 125 program or activity, or in any employment conditions or