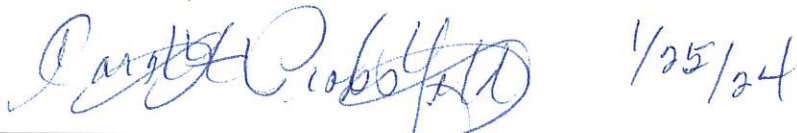


PROCEDURE

Subject	Safety in Private Spaces	Number: 5.21.03 Reference (Rule#) 6HX14-5.21
President's Approval/Date:		

PURPOSE

The purpose of this procedure is to provide guidance regarding restroom and changing facilities at State College of Florida, Manatee-Sarasota ("SCF"), in accordance with F.S. 553.865 and State Board of Education Rule 6A-14.00612. Terms used in this Procedure that are defined in F.S. 553.865 shall have the meanings given to them in that statute.

PROCEDURE

I. General

- A. Florida law requires Florida's public colleges to provide restrooms and changing facilities exclusively designated for males and females or a unisex restroom designed for a single occupant or family. SCF provides both exclusive male/female designated restrooms and changing facilities, as well as unisex restrooms, in accordance with the law. A person may only enter a sex-exclusive bathroom of their sex biologically assigned at birth. A person may only enter a restroom or changing facility designated for the opposite sex under the following conditions as outlined in Florida law:
- i. To assist or chaperone a child under the age of 12, an elderly person, a person with a disability or a person with a developmental disability;
 - ii. For law enforcement or governmental regulatory purposes;
 - iii. For the purposes of rendering emergency medical assistance or to intervene in any other emergency where health or safety is at risk;
 - iv. For custodial, maintenance or inspections (provided the restroom is not in use); or
 - v. When the designated restroom is out of order or under repair (provided the restroom is not in use by anyone of the opposite sex).

II. Employees

Instructional or administrative personnel of the College who willfully enter a restroom or changing facility designated for the opposite sex and refuse to depart when asked are subject discipline as set forth herein except as provided in Section I above.

- A. Each complaint regarding violations will be investigated according to applicable Human Resources procedures.
- B. Disciplinary actions may utilize a progressive discipline process that includes verbal warnings, written reprimands, suspension without pay, and termination.
- C. The disciplinary action taken shall be based on the specific circumstances of the offense; however, a second documented offense will result in termination.
- D. Employees can complete an incident report concerning any violations which shall be documented with Human Resources. Incident reports completed by students will be documented with the Dean of Students' Office.
- E. Documentation will be retained according to the college's records retention policies.
- F. The documentation will include the name of the offender, the person that asked the offender to leave the restroom, and the circumstances of the event sufficient to establish a violation.
- G. Nothing in this section prohibits the College from immediately terminating an employee for a violation.

Instructional or administrative personnel of the Collegiate School who willfully enter a restroom or changing facility designated for the opposite sex and refuse to depart when asked are subject to discipline pursuant to s. 1012.795 F.S.

III. Students

The disciplinary procedures and possible sanctions for any student who, other than as permitted in Section I above, willfully enters a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by administrative personnel, faculty member, security personnel, or law enforcement personnel is outlined in Procedure 4.10.01: Student Code of Conduct.

III. Reporting Violations

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