



Lee Professional Institute

PLAN FOR FACILITY RESTROOMS IN ACCORDANCE WITH THE “SAFETY IN PRIVATE SPACES ACT”

OBJECTIVE

The purpose of this plan is to provide requirements regarding restroom and changing facilities at Lee Professional Institute (LPI) in compliance with section 553.865, Florida Statutes (F.S.), also known as the “Safety in Private Spaces Act,” providing 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.

DEFINITIONS

The “Safety in Private Spaces Act” makes any Florida postsecondary educational Institution or facility a covered entity under it. Under this Act, a person’s sex is determined solely by their sex at birth. The Act goes on to define the following terms:

- “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.”
- “Restroom” means a room that includes one or more water closets. This term does not include a unisex restroom.
- “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.
- “Unisex restroom” means a room that includes one or more water closets that is intended for a single-occupant, or a family, and the room is enclosed in floor-to-ceiling walls and accessed by a full door with a secure lock that prevents another individual from entering while the room is in use.
- “Water closet” means a toilet or urinal.

COMPLIANCE

The Legislature finds that females and males should be provided restrooms and changing facilities for their exclusive use, respective to their sex, in order to maintain public safety, decency, decorum, and privacy. Thus, Lee Professional Institute must, at minimum, have:

- A restroom designated for exclusive use by females and a restroom designated for exclusive use by males; **OR**

- A unisex restroom.
 - Any person regardless of sex or gender may use a restroom designated as “unisex,” “gender neutral,” “all-gender,” or other similar term that indicates the restroom is not intended for the exclusive use of males or females, determined by an individual’s biological sex at birth. These non-designated restrooms may be used by any person regardless of biological sex at birth or gender.
- Permissible sex identification signage, which complies with Florida Building Code and clearly designates intended usage pursuant to and compliant with s.553.865, F.S.
- Amended its student code of conduct to comply with s. 553.865, F.S.

In compliance with the “Safety in Private Spaces Act,” Lee Professional Institute maintains three individual unisex restrooms, as defined above, which are available to students, employees, and visitors. Locations of these restrooms may be found on the school evacuation routes map.

Furthermore, Lee Professional Institute attests that it has submitted timely documentation to the Florida Commission for Independent Education, certifying that the institution is in compliance with the requirements of s.553.865, F.S.

CIRCUMSTANCES IN WHICH ENTRY TO A RESTROOM ON THE PREMISES IS APPROPRIATE

- To accompany a person of the opposite sex to assist or chaperone a child under 12 years of age, an elderly person, or a person with a disability or developmental disability;
- For law enforcement or governmental regulatory purposes;
- For rendering emergency medical assistance or intervening in any other emergency situation where the health or safety of another person is at risk;
- For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
- 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.

DISCIPLINARY POLICIES IN COMPLIANCE WITH SECTION 553.865(9)(d), F.S.

Any unauthorized person who willfully enters a restroom in use, and refuses to depart when asked to do so by a person authorized to make such a request, commits the criminal offense of trespass. Certain employees, staff, and others authorized to be on the premises of the educational institution are not subject to this provision. Students, instructional or administrative personnel are subject to penalties imposed by the institution itself.

IF ANY STUDENT IMPROPERLY ENTERS A RESTROOM AND REFUSES TO DEPART WHEN ASKED TO DO SO

Lee Professional Institute has established in its code of student conduct disciplinary procedures for any student who willfully enters a restroom on the premises of the educational institution, for a purpose other than the authorized uses listed in s. 553.865, F.S., and refuses to depart when asked to do so by an authorized person.

IF ANY UNAUTHORIZED ADMINISTRATIVE OR INSTRUCTIONAL PERSONNEL IMPROPERLY ENTERS A RESTROOM AND REFUSES TO DEPART WHEN ASKED TO DO SO

Any administrative or instructional personnel who violate s. 553.865, F.S., are subject to LPI's established disciplinary procedures, which include actions up to and including dismissal. Occurrences of this type of violation, because of its seriousness, may result in an immediate dismissal without warning.

IF ANY PERSON, NOT A STUDENT OR ADMINISTRATIVE OR INSTRUCTIONAL PERSONNEL, IMPROPERLY ENTERS A RESTROOM AND REFUSES TO DEPART WHEN ASKED TO DO SO

The penalty for a person who is neither a student, administrator, nor instructional personnel of the institution is trespass, which is generally a misdemeanor unless the person is carrying a firearm.

SYSTEM FOR FILING A COMPLAINT WITH THE ATTORNEY GENERAL

Beginning July 1, 2024, a person may submit a complaint to the Attorney General alleging that an educational institution has failed to meet the minimum requirements for restrooms and changing facilities required by s. 553.865, F.S.

Failure to comply with the minimum requirements for restrooms and changing facilities subjects an institution to licensure or regulatory disciplinary action.

PLAN AVAILABILITY

- This plan is available to all students and visitors:
 - Posted on the school website,
 - Pinned to the campus bulletin board, and
 - Included in the Policies and Procedures manual located at the entrance of the campus Media Center.
- This plan is available to all administrative and instruction personnel:
 - in the Staff and Faculty Handbook, which is distributed to all administrative and instructional personnel upon hire.

EVALUATION

This plan is subject to revision as needed to maintain compliance with applicable state legislature.