

U.S. NEWS

Florida district bars trans teachers from using preferred pronouns and bathrooms to comply with state law

Orange County Public Schools issued the guidance Monday to follow two state laws affecting gender identity and bathroom usage in public schools, which took effect in July.



— With a few exceptions, staffers who use restrooms other than ones based on their birth sex and refuse to leave are also subject to discipline. Annick Vanderschelden / Getty Images

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By Marlene Lenthang

To comply with state law, a major Florida school district has issued guidance that will bar transgender employees from sharing their preferred pronouns and force trans students and staff members to use group restrooms that follow their "biological sex at birth."

Orange County Public Schools – the fourth-largest district in Florida, with about 209,000 students at 210 schools – released the [new guidance](#) for the 2023-24 academic year Monday.

The district's deputy general counsel issued the memo to follow two recently passed Florida laws: [House Bill 1069](#), which restricts teaching about sex and human sexuality, and [House Bill 1521](#), which requires the use of restrooms by gender. Gov. Ron DeSantis signed both bills in May, and they took effect July 1.

The guidance, sent to the district's superintendent, deputy superintendent, principals and executive leaders, summarizes the new rules – and punishments – laid out in the measures.

Under House Bill 1069, students' or employees' sex is defined by birth sex – “the hormones and genitals present at birth” – not the gender they identify with, the memo said.

As a result, transgender employees or contractors “may not provide a personal title or pronoun to students which does not correspond [to] the employee's or contractor's biological sex at birth,” the memo said.

The law also mandates that employees and contractors may not ask a student to provide his or her preferred personal title or pronoun, the memo said.

John C. Palmerini, the school district's deputy general counsel, wrote in the memo that educators who are concerned about the use of pronouns and “potential liability” can use student's first or last names when they call on them or their parents may submit forms to use nicknames.

Based on the law, the State Board of Education ruled that educators who violate the pronoun rule can face sanctions up to the revocation of their teaching certificates.

House Bill 1521 requires bathrooms, other than single-stall restrooms, to be separated by biological sex at birth. The measure, dubbed the “Safety in Private Spaces Act,” affects correctional institutions, jails and state-owned public buildings, in addition to educational facilities.

“For our transgender students and employees, they must be provided single stall restrooms for their usage,” the guidance said. “Transgender students and employees may not enter into a

group restroom which is designated for the sex other than their biological sex at birth.”

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The law also requires that changing rooms be separated by birth sex. Transgender students must be provided with single-stall restrooms or coaches' offices when they change for classes such as physical education, the guidance said.

The law requires a penalty for any student who “willfully enters a bathroom or changing facility designated for the opposite sex if the student refuses to depart when asked to do so by any instructional personnel, administrator, or school resource officer.” In such cases, disciplinary referrals will be addressed to the dean or the administrator in charge of discipline, the memo said.

Staffers who use restrooms other than ones based on their birth sex, with few exceptions, are also subject to discipline.

“Principals/Site Administrators shall work with transgender employees to identify single-stall restrooms so transgender employees may comply with the Florida law,” the memo said.

The guidance said that if the school district and its employees do not comply with the law, the state attorney general “is empowered to file a civil lawsuit to enforce this provision.”

Willful violations may subject the district to fines of up to \$10,000.

The district said Tuesday that the guidance was issued because of "state legislative and rule changes around the Parents Bill of Rights since last school year which impact students, teachers and staff."

Not only is Orange County Public Schools one of the largest in the state – it is the eighth largest in the country, and it is one of the largest employers in Central Florida, with more than 25,000 employees, according to the district’s website.

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