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May 19, 2023

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Mr. Barnes:

On April 19, 2023, the State Board of Education amended Rule 6A-10.081, Florida Administrative Code (F.A.C.), Principles of Professional Conduct for the Education Profession in Florida, to prohibit Florida educators from intentionally providing classroom instruction to students in grades 4 through 12 on sexual orientation or gender identity unless such instruction is either expressly required by state academic standards as adopted in Rule 6A-1.09401, F.A.C., or is part of a reproductive health course or health lesson for which a student's parent has the option to have his or her student not attend.

Moreover, House Bill 1069 was signed by the Governor on May 17, 2023, and takes effect July 1, 2023. This bill amends section 1001.42(8)(c)3., Florida Statutes, which states:

“Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in prekindergarten through grade 8, except when required by ss. 1003.42(2)(n)3. and 1003.46. If such instruction is provided in grades 9 through 12, the instruction must be in a manner that is age-appropriate or developmentally appropriate for students in accordance with state standards. This subparagraph applies to charter schools.”

Based on recent changes to State Board of Education rule and Florida law, we implore you to immediately conduct a thorough review of all College Board courses (Advanced Placement and Pre-Advanced Placement) and inform the Office of Articulation, by June 16, 2023, whether these courses need modification to ensure compliance. Some courses may contain content or topics prohibited by State Board of Education rule and Florida law.

The Department is developing an assurance document for the College Board to complete indicating that College Board courses are in compliance with State Board of Education rule and Florida law.

Your swift attention to this matter is appreciated.

Sincerely,
The Office of Articulation