

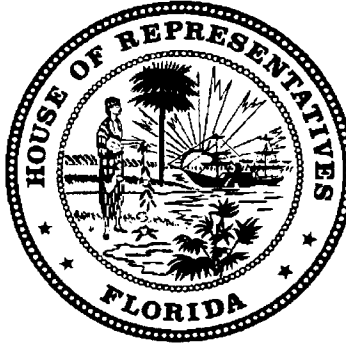


K - 12
Subcommittee
Monday, February 1, 2016
3:00 P.M. – 5:00 P.M.
Morris Hall (17 HOB)

Meeting Packet

Steve Crisafulli
Speaker

Janet Adkins
Chair



AGENDA

K-12 Subcommittee
Monday, February 1, 2016
3:00 P.M. – 5:00 P.M.
Morris Hall (17 HOB)

- I. Call to Order/Roll Call
- II. Welcome/Opening Remarks
- III. Consideration of the following bill(s):
 - HB 701 Art in the Capitol Competition by Lee
 - HB 1253 Early Childhood Music Education Incentive Pilot Program by Perry
 - HB 1403 Pledge of Allegiance by Broxson, Hill, Narain
- IV. Consideration of the following proposed committee substitute(s):
 - PCS for HB 343 -- Public K-12 Education
 - PCS for HB 1147 -- Educational Instruction
- V. Closing Remarks and Adjournment



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: K-12 Subcommittee
 2 Representative Lee offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. (1) There is created the Art in the Capitol
 7 Competition, a statewide visual arts competition for students in
 8 grades 6 through 8, to be administered by the Department of
 9 Management Services and the Department of Education.

10 (2) Each school district shall annually hold an Art in the
 11 Capitol Competition for all public, private, and home education
 12 students in grades 6 through 8. Submissions shall be judged by a
 13 selection committee consisting of art teachers whose students
 14 have not submitted artwork for consideration.

15 (3) (a) A submission may not violate copyright laws and
 16 must:

- 17 1. Be two dimensional.



Amendment No. 1

18 2. Be no larger than 28 inches wide by 28 inches long by 4
19 inches thick.

20 3. Weigh less than 15 pounds.

21 4. Be original in concept, design, and execution.

22 (b) Each submission must include the student's name,
23 grade, and school of enrollment and the city in which the school
24 is located.

25 (4) Each winning submission shall be provided to the
26 legislator of the legislative district in which the student
27 resides no later than sixty days prior to the start of each
28 regular legislative session. The legislator shall provide the
29 winning submission to the Department of Management Services.

30 (5) The Department of Management Services shall collect
31 the winning submissions and arrange to have them displayed in
32 the Capitol Building during the regular legislative session.
33 Upon adjournment of the legislative session, the legislator
34 shall return the winning submission to the student.

35

36 -----

37 **T I T L E A M E N D M E N T**

38 Remove everything before the enacting clause and insert:

39 An act relating to the Art in the Capitol Competition; creating
40 the Art in the Capitol Competition for students in specified
41 grades; specifying procedures for student participation,
42 notification, and the selection and display of winning
43 submissions; providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 701 Art in the Capitol Competition
SPONSOR(S): Lee, Jr.
TIED BILLS: IDEN./SIM. **BILLS:** SB 1160

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-12 Subcommittee		Fudge	Fudge
2) Appropriations Committee			
3) Education Committee			

SUMMARY ANALYSIS

The bill creates the Art in the Capitol Competition for students in grades 6 through 8. Student submissions will be selected by a selection committee at each middle school that consists of local artists, parents, and teachers chosen by the principal. Each state representative will then select a winning submission among the artwork provided by each school in the representative's district. The winning submission will be displayed in the Capitol Building during the regular legislative session.

There is an indeterminate but likely insignificant fiscal impact to the state for the Department of Management Services to display artwork in the Capitol.

The bill is effective July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The Capitol has permanent and temporary art displays. The lower floors of the Capitol and Legislative Office Buildings contain photographs of Florida's history chosen by Florida Legislative Research Center.¹

The Capitol Complex Exhibition Program showcases Florida artists through a series of visual art exhibitions throughout the Capitol Complex. Staff members of the Division of Cultural Affairs select exhibitions for the 22nd Floor Capitol Gallery and the Gallery for Innovation and the Arts. Selection is based on quality, diversity of medium and regional representation with preference for Florida themes.²

Effect of Proposed Changes

The bill creates the Art in the Capitol Competition to be administered by the Department of Management Services and the Department of Education. The Department of Education must notify each school district about applicable deadlines, submission rules, and selection process.

By January 1 of each year, a middle school student may submit artwork to the selection committee at his or her school. Each artwork submission must original in concept, design, and execution and may not violate copyright law. Further, each submission must be two dimensional, may be no larger than 28 inches wide by 28 inches long by 4-inches thick, and must weigh less than 15 pounds. Submissions must include the student's name, grade, and school; the city in which the school is located; and the number of the state representative district in which the school is located.

The selection committee must consist of five individuals, selected by the school principal, and include local artists, parents, and teachers.

By January 15 of each year the selection committee must select the winning submission and submit the artwork to the office of the state representative in which the school is located. By February 1, each state representative must select a winning submission for his or her district, notify the DOE and DMS of the winning submission, and mail the submission to DMS. DMS must display the art in the Capitol Building during the regular legislative session. Upon adjournment of the legislative session, each student may arrange with DMS for the return of the artwork.

B. SECTION DIRECTORY:

Section 1. Creates the Art in the Capitol Competition.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

¹ Visit Florida Capitol, *Artwork in the Capitol*, <http://www.visitfloridacapitol.com/capitol/art.php> (last visited January 28, 2016).

² Division of Cultural Affairs, *Exhibitions*, <http://dos.myflorida.com/cultural/programs/exhibitions/> (last visited January 28, 2016)

2. Expenditures:

There is an indeterminate but likely insignificant fiscal impact to the state for the Department of Management Services to display artwork in the Capitol.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill provides DMS rulemaking authority to administer the competition.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

1 A bill to be entitled
 2 An act relating to the Art in the Capitol Competition;
 3 creating the Art in the Capitol Competition for
 4 students in specified grades; providing for school
 5 district notification, student participation, and the
 6 selection and display of winning submissions;
 7 authorizing rulemaking; providing an effective date.
 8

9 Be It Enacted by the Legislature of the State of Florida:
 10

11 Section 1. (1) There is created the Art in the Capitol
 12 Competition, a statewide visual arts competition for students in
 13 grades 6 through 8, to be administered by the Department of
 14 Management Services and the Department of Education.

15 (2) The Department of Education shall notify each school
 16 district and the Department of Management Services shall notify
 17 each state representative of the Art in the Capitol Competition,
 18 including the applicable deadlines, submission rules, and
 19 selection process.

20 (3)(a) A submission may not violate copyright laws and
 21 must:

22 1. Be two dimensional.

23 2. Be no larger than 28 inches wide by 28 inches long by 4
 24 inches thick.

25 3. Weigh less than 15 pounds.

26 4. Be original in concept, design, and execution.

27 (b) Each submission must include:
 28 1. The student's name, grade, and school of enrollment.
 29 2. The name of the city in which the school is located.
 30 3. The number of the state representative district in
 31 which the school is located.

32 (4)(a) By January 1, 2017, and annually thereafter, a
 33 student may submit his or her artwork to the selection committee
 34 at his or her middle school. Each selection committee shall
 35 consist of five individuals selected by the principal of the
 36 school and include local artists, parents, and teachers.

37 (b) By January 15, 2017, and annually thereafter, each
 38 selection committee must select the winning submission for the
 39 school and submit the artwork to the office of the state
 40 representative district in which the school is located.

41 (c) By February 1, 2017, and annually thereafter, each
 42 state representative must select the winning submission for his
 43 or her district, notify the Department of Management Services
 44 and the Department of Education of his or her decision, and mail
 45 the artwork to the Department of Management Services.

46 (5) The Department of Management Services shall collect
 47 the winning submissions and arrange to have them displayed in
 48 the Capitol Building during the regular legislative session.
 49 Upon adjournment of the legislative session, each student may
 50 arrange with the Department of Management Services for the
 51 return of his or her artwork.

52 (6) The Department of Management Services may adopt rules

HB 701

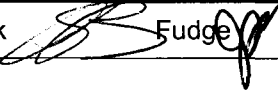
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53 | to administer this section.

54 | Section 2. This act shall take effect July 1, 2016.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1253 Early Childhood Music Education Incentive Pilot Program
SPONSOR(S): Perry and others
TIED BILLS: IDEN./SIM. **BILLS:** SB 1550

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-12 Subcommittee		Brink	 Fudge
2) Education Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

Some studies have indicated a correlation between instruction in fine and performing arts and student achievement in core academic subjects, including reading and math. However, while the number of elementary music classes has increased statewide, some school districts do not have any elementary students enrolled in music courses.

The bill establishes the 3-year Early Childhood Music Education Incentive Pilot Program in the Department of Education to assist selected school districts in implementing comprehensive music education programs for students in kindergarten through grade 2. The bill establishes eligibility requirements for participating school districts and requires the Commissioner of Education to select qualifying schools to participate in the pilot program. Each participating school district's superintendent must annually certify to the commissioner that the district meets the eligibility requirements for the pilot program.

The bill requires the University of Florida's College of Education to evaluate the effectiveness of the program based on student performance and the success of the program. The evaluation must at least include a quantitative analysis of student achievement and a qualitative evaluation of students enrolled in the comprehensive music education programs.

There is a requested budget for one year of the program at \$500,000. See FISCAL COMMENTS, *infra*.

The bill takes effect July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Positive Effects of Music Education

Some studies have indicated a correlation between instruction in fine and performing arts and student achievement in core academic subjects, including reading¹ and math.² Additionally, a variety of aspects of cognitive development have been shown to be positively linked with music instruction in school, including spatial-temporal abilities, selective attention, and memory for verbal stimuli.³ Further, some research has identified a positive association between music education and increases in student self-esteem, academic success, and discipline.⁴

Visual and Performing Arts Academic Standards and Student Enrollment

The state's academic standards are required to include standards for instruction for visual and performing arts. Such standards must include specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade five.⁵

Current law requires the commissioner to prepare an annual report that includes information, based on annual reporting by schools, regarding student access to, and participation in, fine arts courses; the number and certification status of educators providing arts instruction; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the Next Generation Sunshine State Standards. The report must be posted on the Department of Education's website and updated annually.

Fine arts courses, for purposes of the annual report, include visual arts, music, dance, and theatre courses. According to the latest annual report the number of elementary music classes has increased statewide.

2011-12		2012-13		2013-14		2014-15	
# of Classes	% of Classes	# of Classes	% of Classes	# of Classes	% of Classes	# of Classes	% of Classes
6,683	20.0%	10,806	26.5%	10,940	27.7%	10,375	26.2%

However, in some school districts there is no student enrollment in K-5 music programs.⁶

¹ See, e.g., The President's Committee on the Arts and The Arts Education Partnership, *Champions of Change: The Impact of the Arts on Learning* (1999), available at <http://artsedge.kennedy-center.org/champions/pdfs/ChampsReport.pdf>; James S. Catterall, et al., National Endowment for the Arts, *The Arts and Achievement in At-Risk Youth: Findings from Four Longitudinal Studies* (2012), available at <http://www.nea.gov/research/Arts-At-Risk-Youth.pdf>.

² M.F. Gardiner, et al, *Learning Improved by Arts Training*, 381 NATURE 284 (1996).

³ See, e.g., Lois Hetland, *Learning to Make Music Enhances Spatial Reasoning*, 34 J. Aesthetic Ed. 179 (2000); Hurwitz, et al, *Nonmusical Effects of the Kodaly Music Curriculum in Primary Grade Children*, 8 J. LEARNING DISABILITIES 167 (1975); Yim-Chi Ho, et al, *Music Training Improves Verbal but Not Visual Memory: Cross-Sectional and Longitudinal Explorations in Children*, 17 NUEROPSYCHOLOGY 439 (2003).

⁴ See e.g., Cecil Adderley, et al, "A home away from home": *The world of the high school music classroom*, 51 J. MUSIC RES. 190 (2003).

⁵ Section 1003.41(2)(e), F.S.

⁶ School districts with no reported enrollment in music programs include: Dixie, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Holmes, Indian River, Lafayette, Madison and Putnam. See Florida Department of Education, *Fine Arts Enrollment*,

Effect of Proposed Changes

The bill establishes the 3-year Early Childhood Music Education Incentive Pilot Program in the Department of Education to assist selected school districts in implementing comprehensive music education programs for students in kindergarten through grade 2.

The bill establishes eligibility requirements for participating school districts and requires the district school superintendent to certify to the Commissioner of Education that the district meets the criteria each year it participates in the program. To be eligible, each school in the district must have established a comprehensive music education program that:

- Includes all students enrolled in kindergarten through grade 2.
- Is staffed by “certified music educators.”
- Provides music instruction for a least 30 consecutive minutes 2 days a week.
- Complies with class size requirements under s. 1003.03, F.S.⁷
- Complies with the “department’s standards for early childhood music education programs” for students in kindergarten through grade 2.

The commissioner must select school districts for participation in the pilot program, subject to legislative appropriation, based on the school district’s proximity to the University of Florida and needs-based criteria established by the State Board of Education. Selected school districts must annually receive \$150 per full-time equivalent student in kindergarten through grade 2.

Each selected school district must recertify to the commissioner each year of the pilot program that it meets the eligibility requirements established by the bill. If a selected school district does not provide the annual certification for a fiscal year, the school district must return all funds received through the pilot program for that fiscal year.

The bill requires the University of Florida’s College of Education to evaluate the effectiveness of the program based on student performance and the success of the program. The evaluation must at least include a quantitative analysis of student achievement and a qualitative evaluation of students enrolled in the comprehensive music education programs.

The bill authorizes the State Board of Education to adopt rules to implement the pilot program.

B. SECTION DIRECTORY:

Section 1. Creates s. 1003.481, F.S.; creating the pilot program within the Department of Education for a specified period; providing for school district eligibility; providing comprehensive music education program requirements; providing for school district selection, funding, and incentive payments; requiring selected school districts to annually provide a specified certification to the Commissioner of Education; requiring a selected school district to return funds under certain circumstances; requiring the University of Florida’s College of Education to perform an evaluation; authorizing the State Board of Education to adopt rules; providing for expiration.

Section 2. Provides an effective date of July 1, 2016.

[ELIAS%2FFINE+ARTS%2FWEB+REPORTS%2FFine+Arts+Enrollment.srx%28Report%29](#) (last visited Jan. 28, 2016).

⁷ Section 1, Article IX of the Florida Constitution requires the Legislature to make adequate provision to ensure that there are a sufficient number of classrooms in Florida so that the maximum number of students assigned to each teacher does not exceed 18 students for prekindergarten through 3rd grade, 22 students for 4th through 8th grades, and 25 students for 9th through 12th grades. Extracurricular courses are statutorily excluded from the class size mandate; thus, its requirements apply only to core curricula courses. Section 1003.03(1), F.S.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See FISCAL COMMENTS, *infra*.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The funding for this program will be primarily directed towards the chosen school districts to operate music education programs in grades K-2. In addition, a portion of the funding will be directed to the University of Florida to conduct an effectiveness study on the pilot program. Researchers from the University of Florida's College of Education will collect and analyze quantitative and qualitative data for the next three consecutive years regarding this program and present its findings to the state. The requested budget for one year of the program is \$500,000.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill authorizes the State Board of Education to adopt rules to implement the pilot program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

It is unclear the number of school districts the Commissioner may select to participate. The bill does not establish guidelines for the needs-based criteria that the State Board of Education must establish. The bill does not specify whether the University of Florida must report any findings based on its evaluation of participating school districts. It is unclear which subject areas must be evaluated with respect to student performance.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to the Early Childhood Music Education Incentive Pilot Program; creating s. 1003.481, F.S.; creating the pilot program within the Department of Education for a specified period; providing for school district eligibility; providing comprehensive music education program requirements; providing for school district selection, funding, and incentive payments; requiring selected school districts to annually provide a specified certification to the Commissioner of Education; requiring a selected school district to return funds under certain circumstances; requiring the University of Florida's College of Education to perform an evaluation; authorizing the State Board of Education to adopt rules; providing for expiration; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1003.481, Florida Statutes, is created to read:

1003.481 Early Childhood Music Education Incentive Pilot Program.—

(1) Beginning with the 2016-2017 school year, the Early Childhood Music Education Incentive Pilot Program is created within the Department of Education for a period of 3 school

27 years. The purpose of the pilot program is to assist selected
 28 school districts in implementing comprehensive music education
 29 programs for students in kindergarten through grade 2.

30 (2) In order for a school district to be eligible for
 31 participation in the pilot program, the superintendent must, in
 32 a format prescribed by the department, certify to the
 33 Commissioner of Education that each elementary school within the
 34 district has established a comprehensive music education program
 35 that:

36 (a) Includes all students at the school enrolled in
 37 kindergarten through grade 2.

38 (b) Is staffed by certified music educators.

39 (c) Provides music instruction for at least 30 consecutive
 40 minutes 2 days a week.

41 (d) Complies with class size requirements under s.
 42 1003.03.

43 (e) Complies with the department's standards for early
 44 childhood music education programs for students in kindergarten
 45 through grade 2.

46 (3)(a) The commissioner shall select school districts for
 47 participation in the pilot program, subject to legislative
 48 appropriation, based on the school district's proximity to the
 49 University of Florida and needs-based criteria established by
 50 the State Board of Education. Selected school districts shall
 51 annually receive \$150 per full-time equivalent student in
 52 kindergarten through grade 2 who is enrolled in a comprehensive

53 music education program.

54 (b) To maintain eligibility for participation in the pilot
 55 program, a selected school district must annually certify to the
 56 commissioner, in a format prescribed by the department, that
 57 each elementary school within the district provides a
 58 comprehensive music education program that meets the
 59 requirements of subsection (2). If a selected school district
 60 fails to provide the annual certification for a fiscal year, the
 61 school district must return all funds received through the pilot
 62 program for that fiscal year.

63 (4) The University of Florida's College of Education shall
 64 evaluate the effectiveness of the pilot program by measuring
 65 student performance and the success of the program. The
 66 evaluation must include, but is not limited to, a quantitative
 67 analysis of student achievement and a qualitative evaluation of
 68 students enrolled in the comprehensive music education programs.



69 (5) The State Board of Education may adopt rules to
 70 administer this section.

71 (6) This section expires June 30, 2019.

72 Section 2. This act shall take effect July 1, 2016.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1403 Pledge of Allegiance
SPONSOR(S): Broxson and others
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-12 Subcommittee		Dehmer 	Fudge 
2) Education Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

Currently, each school district board may adopt rules that require, in all district schools, programs of a patriotic nature. The programs are designed to encourage greater respect for the United States government, the national anthem and the flag. The programs are subject to other existing laws of the United States or the state.

In each public elementary, middle and high school in the state, the pledge of allegiance (the pledge) shall be recited at the beginning of the day. The pledge shall be rendered by students standing with the student's right hand over their heart. When the pledge is given, civilians must show full respect to the flag by standing at attention. Men must remove their headdress, unless worn for a religious purpose.

Each student must be informed of the right not to participate in the pledge by a notice posted in a conspicuous place. The student is excused from the pledge when the student obtains a written request from their parent.

The bill repeals the requirement to conspicuously post notice of the right not to participate and instead provides that students shall be informed of the right not to participate in the pledge by a written notice published in the student handbook, the code of student conduct or a similar school publication.

The bill removes the requirement that all civilians, including excused students, stand and place their hand over their heart during the pledge. Instead, only unexcused students must stand and recite the pledge.

The bill does not have a fiscal impact on state or local governments.

The bill takes effect July 1, 2016.

B. SECTION DIRECTORY:

Section 1. Amends s. 1003.44, F.S., relating to patriotic programs and rules.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not Applicable.

1 A bill to be entitled
 2 An act relating to the pledge of allegiance; amending
 3 s. 1003.44, F.S.; requiring a written notice of a
 4 student's right not to participate in the pledge of
 5 allegiance to be included in a specific publication;
 6 providing that a student may be excused from certain
 7 actions associated with the pledge of allegiance;
 8 requiring unexcused students to show full respect to
 9 the flag during the pledge of allegiance; providing an
 10 effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Subsection (1) of section 1003.44, Florida
 15 Statutes, is amended to read:

16 1003.44 Patriotic programs; rules.—

17 (1) Each district school board may adopt rules to require,
 18 in all of the schools of the district, programs of a patriotic
 19 nature to encourage greater respect for the government of the
 20 United States and its national anthem and flag, subject always
 21 to other existing pertinent laws of the United States or of the
 22 state. When the national anthem is played, students and all
 23 civilians shall stand at attention, men removing the headdress,
 24 except when such headdress is worn for religious purposes. The
 25 pledge of allegiance to the flag, "I pledge allegiance to the
 26 flag of the United States of America and to the republic for

HB 1403

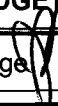
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27 | which it stands, one nation under God, indivisible, with liberty
28 | and justice for all," shall be rendered by students standing
29 | with the right hand over the heart. The pledge of allegiance to
30 | the flag shall be recited at the beginning of the day in each
31 | public elementary, middle, and high school in the state. Each
32 | student shall be informed by a written notice published in the
33 | student handbook or a similar publication pursuant to s.
34 | 1006.07(2) ~~posting a notice in a conspicuous place~~ that the
35 | student has the right not to participate in reciting the pledge.
36 | Upon written request by his or her parent, the student must be
37 | excused from reciting the pledge, including standing and placing
38 | the right hand over his or her heart. When the pledge is given,
39 | unexcused students ~~civilians~~ must show full respect to the flag
40 | by standing at attention, men removing the headdress, except
41 | when such headdress is worn for religious purposes, as provided
42 | by Pub. L. ch. 77-435, s. 7, approved June 22, 1942, 56 Stat.
43 | 377, as amended by Pub. L. ch. 77-806, 56 Stat. 1074, approved
44 | December 22, 1942.

45 | Section 2. This act shall take effect July 1, 2016.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 343 Public K-12 Education
SPONSOR(S): K-12 Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: K-12 Subcommittee		Cherry TC	Fudge 

SUMMARY ANALYSIS

In 2010, Legislature enacted Chapter 2010-217, L.O.F., which required that each district school board adopt and implement a dating violence and abuse policy which must be integrated into each school district's discipline policies. Each district's policy must prohibit dating violence and abuse by any student on school property, during a school-sponsored activity, or during school-sponsored transportation; provide procedures for responding to such incidents of dating violence or abuse, including accommodations for students experiencing dating violence or abuse; and define dating violence and abuse and provide for a teen dating violence and abuse component in the health education curriculum.

The bill specifies that Chapter 2010-217, L.O.F., may be cited as the "Taylor's Law for Teen Dating Violence Awareness and Prevention," after Taylor Mack, who survived horrific injuries stemming from an attack by her boyfriend in 2009.

The bill provides an effective date of July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Chapter 2010-217, L.O.F., required a teen dating violence and abuse component to be added to the current comprehensive health education curriculum provided to students in grades 7 through 12.¹ The dating violence and abuse component includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.²

Each district school board is also required to adopt and implement a dating violence and abuse policy which is to be integrated into each school district's discipline policies.³ Each district's policy must:

- Prohibit dating violence and abuse by any student on school property, during a school-sponsored activity, or during school-sponsored transportation;
- Provide procedures for responding to such incidents of dating violence or abuse, including accommodations for students experiencing dating violence or abuse;
- Define dating violence and abuse and provide for a teen dating violence and abuse component in the health education curriculum, with emphasis on prevention education.⁴

Each school district must also provide training for teachers, staff, and school administrators to implement the dating violence and abuse policies.⁵

Effect of Proposed Changes

The bill specifies that Chapter 2010-217, L.O.F., may be cited as the "Taylor's Law for Teen Dating Violence Awareness and Prevention," after Taylor Mack, who survived horrific injuries stemming from an attack by her boyfriend in 2009.⁶

B. SECTION DIRECTORY:

Section 1. Provides a short title for chapter 2010-217, L.O.F.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

¹ Section 1003.42(2)(n), F.S.

² *Id.*

³ Section 1006.148(1), (1)(d), F.S.

⁴ Section 1006.148(1)(a), (b), (c), and (d), F.S.

⁵ Section 1006.148(3), F.S.

⁶ wftv.com, *911 Call Released of Girl Who Was Stabbed, Burned*, <http://www.wftv.com/news/news/911-call-released-of-girl-who-was-stabbed-burned/nFDyC/> (last visited Jan. 27, 2016).

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

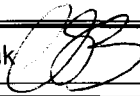

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 1147 Educational Instruction
SPONSOR(S): K-12 Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: K-12 Subcommittee		Brink 	Fudge 

SUMMARY ANALYSIS

The law requires each school district to develop or adopt a curriculum for a K-12 character-development program and submit it to the department for approval. The curriculum must “stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

In addition to current instructional requirements, the proposed committee substitute (PCS) requires character-development programs in high schools to include instruction on:

- Developing leadership skills, interpersonal skills, organization skills, and research skills;
- Creating a resume;
- Developing and practicing the skills necessary for employment interviews;
- Managing stress and expectations; and
- Developing skills that enable students to become more resilient and self-motivated.

The PCS does not appear to affect the state or local governments.

The PCS takes effect July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Section 1003.42(2), F.S., establishes components of required instruction for public school students. Instructional staff must teach the following content:

- The history and content of the Declaration of Independence, to include specific consents which include in part national sovereignty, natural law, and how they form the philosophical foundation of our government.
- The history, meaning, significance, and effect of the provisions of the Constitution of the United States with emphasis on each of the ten amendments that make up the Bill of Rights;
- The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers;
- Flag education, including proper flag display and flag salute;
- The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts;
- The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present;
- The history of the Holocaust;
- The history of African Americans;
- The elementary principles of agriculture;
- The true effects of all alcoholic beverages and narcotics upon the human body and mind;
- Kindness to animals;
- The history of the state;
- The conservation of natural resources;
- Comprehensive health education that addresses concepts of community health; consumer health; environmental health; family life, including in part, an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy; mental and emotional health; students in grades 7 through 12 teen dating violence and abuse education;
- Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law;
- The study of Hispanic contributions to the United States;
- The study of women's contributions to the United States;
- The nature and importance of free enterprise to the United States economy;
- A character-development program in kindergarten through grade 12; and
- In order to encourage patriotism, the sacrifices that veterans have made in serving our country and protecting democratic values worldwide.

The law does not establish any particular grade level or courses within which instruction on these topics must be provided. However, the Department of Education takes steps to ensure that the enumerated content is taught in public schools. The law encourages the State Board of Education to "adopt standards and pursue assessment of the requirements" of subsection (2) of s. 1003.42, F.S.

Each school district must develop or adopt a curriculum for its K-12 character-development program and submit it to the department for approval.¹ The curriculum must “stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.”²

Effect of Proposed Changes

In addition to current instructional requirements, the proposed committee substitute requires character-development programs in high schools to include instruction on:

- Developing leadership skills, interpersonal skills, organization skills, and research skills;
- Creating a resume;
- Developing and practicing the skills necessary for employment interviews;
- Managing stress and expectations; and
- Developing skills that enable students to become more resilient and self-motivated.

As a result, all public school students will receive instruction on these life and career skills topics while in high school.

B. SECTION DIRECTORY:

Section 1. Amends s. 1003.42, F.S.; requiring character education programs to provide certain instruction to students in grades 9-12.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

¹ Section 1003.42(2)(s), F.S.

² *Id.*

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

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A bill to be entitled

An act relating to character-development instruction; amending s. 1003.42, F.S.; requiring character education programs to provide certain instruction to students in grades 9-12; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (s) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historic accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(s) A character-development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character-development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character-development program that shall be submitted to the department for approval. The character-development curriculum shall stress the qualities of

27 patriotism; responsibility; citizenship; kindness; respect for
28 authority, life, liberty, and personal property; honesty;
29 charity; self-control; racial, ethnic, and religious tolerance;
30 and cooperation. The character-development program in grades 9
31 through 12 shall, at a minimum, include instruction on
32 developing leadership skills, interpersonal skills, organization
33 skills, and research skills; creating a resume; developing and
34 practicing the skills necessary for employment interviews;
35 managing stress and expectations; and developing skills that
36 enable students to become more resilient and self-motivated.

37
38 The State Board of Education is encouraged to adopt standards
39 and pursue assessment of the requirements of this subsection.

40 Section 2. This act shall take effect July 1, 2016.