

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – This bill places a detailed mandate on local school districts to include specific topics and assessments in their instruction on U.S. history.

Safeguard individual liberty – The bill is intended to inculcate in on public school students a better understanding of the history and foundations of individual liberty.

B. EFFECT OF PROPOSED CHANGES:

Required Instruction in U.S. History

Section 1003.43(1)(d) requires successful completion of one credit in American history for high school graduation. In addition, school districts are required by law to provide appropriate instruction designed to ensure students meet the State Board of Education (SBE) adopted standards in specified subjects, including social studies. The current standards cover American history topics and requirements.

Section 1003.42, F.S. requires school districts to provide instruction in a number of specified topics, including:

- The Declaration of Independence,
- The United States Constitution, and
- The history of the state.

The bill specifies in greater detail the following additional requirements for the instruction in certain U.S. history topics:

- Instruction on the Declaration of Independence must address its history and must include the ideas of national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and God-given, inalienable rights of life, liberty, and property.
- Instruction in the U.S. Constitution must include the history, meaning, significance and effect of its provisions, with emphasis on the Bill of Rights.
- Instruction in the history of the state must also include the history of the State Constitution.

The bill adds a requirement for instruction in U.S. history which must:

- Include the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the U.S., the world wars, and the civil rights movement;
- Be taught as genuine history and not follow the revisionist or postmodernist viewpoints of relative truth;
- Be viewed as factual, not constructed, and as knowable, teachable, and testable; and
- Be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

The bill requires that SBE standards conform to the instruction required by law. District school boards are required to ensure that these required topics in U.S. history be taught in at least six grade levels total: two grade levels each in elementary school, in middle school, and in high school. The bill requires high school students to achieve a grade of 75 percent or higher on a test designed to test specified knowledge related to the Declaration of Independence and the U.S. Constitution.

Other Required Instruction

The bill deletes the authority of the SBE and district school boards to set rules and procedures regarding instructional personnel teaching the prescribed courses of study. The bill also requires that the materials used for required instruction meet the highest standards for professionalism and historic accuracy.

Instruction in the history of the Holocaust is currently required, for the purpose of “encouraging tolerance of diversity in a pluralistic society” (1003.42, F.S.). The bill specifies that the purpose of the instruction is to encourage tolerance of racial, ethnic, and religious diversity.

Comprehensive health education is currently required to address mental and emotional health. The bill removes the requirement for instruction in mental and emotional health.

The bill adds a new requirement of instruction in the nature and importance of free enterprise to the U.S. economy.

Character-development programs are currently required. The bill amends the requirements for the content of such programs. The bill deletes the requirement that such programs stress attentiveness, patience and initiative. The bill adds requirements that the programs stress:

- The Golden Rule,
- Respect specifically for authority, human life, liberty, and personal property,
- Abstinence until marriage, and
- Specifically racial, ethnic, and religious tolerance.

C. SECTION DIRECTORY:

Section 1. Amends s.1003.42, F.S., to revise several provisions related to required instruction in public schools and to provide requirements for the teaching and assessment of the history of the United States.

Section 2. Amends s. 1003.43, F.S., to require the study of the Declaration of Independence for high school graduation.

Section 3. Amends s. 1002.20, F.S., to correct a cross reference.

Section 4. Provides an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

See Fiscal Comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a fiscal impact on the private sector.

D. FISCAL COMMENTS:

There could be a fiscal impact related to developing the required assessment on the Declaration of Independence and the U.S. Constitution. The bill does not specify if this test is to be designed locally or at the state level.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to spend funds or to take any action requiring the expenditure of funds.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill deletes the authority of the SBE and district school boards to set rules and procedures regarding instructional personnel teaching the prescribed courses of study, which would include the authority to specify which personnel teach which prescribed topics. The effect appears to be that all teachers must teach all of the topics of required instruction.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On March 22, 2005, the PreK-12 Committee adopted five amendments to the bill.

The first amendment restored deleted language, thus allowing the State Board of Education and local school boards to decide which teachers provide instruction in each of the required areas.

The second amendment removed the fiscal impact from the bill by deleting the required assessment of the Declaration of Independence and Constitution.

The third amendment removed duplicative new language (“racial, ethnic, and religious”) which was added in subsection (s).

The fourth amendment removed duplicative language (“abstinence until marriage”) which is in current law in subsection (n).

The fifth amendment clarified that districts are required to teach the Declaration of Independence “as written.”