

STORAGE NAME: h0809z.ei

DATE: May 4, 1999

****FINAL ACTION****

****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
EDUCATION INNOVATION
FINAL ANALYSIS**

BILL #: HB 809

RELATING TO: School Instruction/Veterans

SPONSOR(S): Representative Bilirakis and others

COMPANION BILL(S): SB 1488 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION INNOVATION YEAS 6 NAYS 0
- (2) COMMUNITY AFFAIRS YEAS 8 NAYS 0
- (3) EDUCATION APPROPRIATIONS
- (4)
- (5)

I. FINAL ACTION STATUS:

HB 809 died in the Committee on Education Appropriations on April 30, 1999.

II. SUMMARY:

The bill requires instruction in public schools to include the sacrifices that veterans have made in serving our country and protecting democratic values worldwide. The purpose of this instruction is to encourage patriotism. This bill requires the instruction to take place on or prior to Veterans' Day and Memorial Day and encourages the instructional staff to utilize local veterans when practicable.

III. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Required Instruction

Section 233.061, F.S., requires that each school district provides all courses needed for high school graduation. Districts must assure that students meet state board adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.

In addition to the subjects listed above instructional staff of the schools are required to teach the following:

- The content of the Declaration of Independence and how it forms the philosophical foundation of our government.
- The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.
- The essentials of the United States Constitution and how it provides the structure of our government.
- Flag education, including proper flag display and flag salute.
- The elements of civil government are to include 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 Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions.
- The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society.
- The elementary principles of agriculture.
- The true effects of all alcoholic and intoxicating liquors and 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 an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy; mental and emotional health; injury prevention and safety; nutrition; personal health; prevention and control of disease; and substance use and abuse.
- Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the commissioner and the 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.

Teachers are required to use approved books and materials and to follow the approved courses of study when teaching these subjects.

The Florida Legislature has amended the above list several times. Past changes include:

- 1998 Requirement that instruction include study of:
- Hispanic contributions to the U.S.
 - Women's contributions to the U.S.
- 1997 Requirement that civil government instruction include study of:
Primary function of interrelationships between various levels of government.
Inclusion of comprehensive health education.
- Removal of specific requirement for teaching the effects of alcohol and narcotics.
- 1994 Requirement for instruction in the history of African-Americans and of the Holocaust.

Authorized Instruction

In addition to required instruction, each school district is encouraged to provide students with programs and instruction at the appropriate grade levels in areas including, but not limited to, the following:

- Character development and law education.
- The objective study of the Bible and religion.
- Traffic education.
- Free enterprise and consumer education.
- Programs to encourage patriotism and greater respect for country.
- Drug abuse resistance education.
- Comprehensive health education.
- Care of nursing home patients.
- Instruction in acquired immune deficiency syndrome.
- Voting instruction, including the use of county voting machines.
- Before-school and after-school programs.
- Traffic education program for kindergarten through grade six.

B. EFFECT OF PROPOSED CHANGES:

HB 809 adds to the list required instructional areas, the sacrifices that veterans have made in serving our country and protecting democratic values world wide. The purpose of this instruction is to encourage patriotism. The bill requires that veterans instruction is to take place on or prior to Veterans' Day and Memorial Day. The bill encourages the instructional staff to utilize local veterans when practicable.

The new required subject will increase the itemized required topics of instruction to 17. Although the bill does not require new social studies textbooks to incorporate these studies into the curriculum, *publishers of textbooks do take into consideration required curriculums when they determine what to include in textbooks.*

C. APPLICATION OF PRINCIPLES:

1. Less Government:

- a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes. This bill would require districts, schools, and teachers to add to their curriculum the subject of the sacrifices that veterans have made in serving our country.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

An agency or program is not eliminated or reduced.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

The bill does not purport to provide services to families or children.

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

- (1) parents and guardians?

No.

(2) service providers?

Yes. Teachers, schools, and districts will incorporate into their curriculum the study of the sacrifices that veterans have made in serving our country.

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Amends s. 233.061, F.S.

E. SECTION-BY-SECTION ANALYSIS:

The section by section analysis below, does not include the “strike everything” amendment adopted by the Committee on Education Innovation on March 31, 1999. Please refer to the summary and committee amendment sections of this bill analysis for an explanation of the amendment.

Section 1 -- Requires teachers to teach about the sacrifices that veterans have made in serving our country and protecting democratic values worldwide; requires instruction to take place on or before Veteran’s Day and Memorial Day; encourages instructional staff to involve local veterans when practicable.

Section 2 -- Provides effective date of becoming law.

IV. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

Indeterminate.

2. Recurring Effects:

Indeterminate.

3. Long Run Effects Other Than Normal Growth:

Indeterminate. Although a new topic added to the “required instruction” list does not require new textbooks, publishers of textbooks do take into consideration curriculum requirements when they determine what to include in textbooks. Consequently, it is not unusual for the cost of books and other instructional materials to increase due to the additional topics which are taken under consideration.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

The Department of Education would have to develop and/or approve instructional materials for this program. The fiscal impact is indeterminate at this time.

V. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce revenue raising authority of counties or municipalities.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the percentage of a state tax shared with counties or municipalities.

VI. COMMENTS:

Major emphasis of the education system in Florida is upon the Sunshine State Standards, the Florida Comprehensive Assessment Test (FCAT), student performance in key academic areas such as reading, writing and learning how to compute mathematics. Additionally, the Florida Statutes has 16 other areas of required instruction in which teachers must follow approved courses of study. The teaching of Veterans' sacrifices will be added to that list. Although *all* of these subjects are important, they each require a block of time to be taught in a classroom. This leaves less time for teachers to provide instruction on the basic academic skills students need to successfully move through the pupil progression plan towards high school graduation, technical education, work or post secondary education.

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

Strike everything amendment

On March 31, 1999, the Committee on Education Innovation considered HB 809. A strike everything amendment was offered and adopted. The "strike everything" amendment made the following changes to the bill, as introduced:

- Revised the required public education instruction to include only those courses required for high school graduation and meeting board adopted standards in reading, other language arts, mathematics, science, social studies, foreign languages, health, physical education, and the arts. This amendment moves the remainder of the prescribed courses of study located in section 233.061(2), F.S., to the authorized instruction statute, section 233.0612, F.S., so each school *may* provide students with programs and instruction, but is not *required* to do so. This amendment does not remove any topic from the list, but moves the list from the *required* section to the *authorized* section of statute.
- Added the sacrifices of veterans to the list of authorized instruction as specified by the original bill.

Substitute amendment by the Committee on Community Affairs

At its meeting on April 14, 1999, the Committee on Community Affairs adopted a substitute amendment to the strike everything amendment by the Committee on Education Innovation. The amendment returns this section of law to its current state and creates a new subsection titled "recommended instruction." The recommended instruction section encourages instruction to students on the sacrifices that veterans have made in serving our country.

VIII. SIGNATURES:

COMMITTEE ON EDUCATION INNOVATION:

Prepared by:

Pamela M. Allen

Staff Director:

Ouida J. Ashworth

AS REVISED BY THE COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Aimee Diaz

Staff Director:

Joan Highsmith-Smith

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON EDUCATION INNOVATION:

Prepared by:

Pamela M. Allen

Staff Director:

Ouida J. Ashworth