

STORAGE NAME: h1273s1.llc.doc
DATE: February 28, 2002

HOUSE OF REPRESENTATIVES
COUNCIL FOR LIFELONG LEARNING
ANALYSIS

BILL #: CS/HB 1273
RELATING TO: Public School Required Instruction
SPONSOR(S): Council for Lifelong Learning and Representative(s) Mack
TIED BILL(S): None

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

- (1) EDUCATION INNOVATION YEAS 12 NAYS 0
 - (2) COUNCIL FOR LIFELONG LEARNING YEAS 13 NAYS 0
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

Among the subjects that public school instructional personnel are legally required to teach, current law requires public school instructional personnel to teach a character-development program in all public elementary schools. The program must be secular in nature and must stress such character qualities as attentiveness, patience, and initiative.

Beginning with the 2004-2005 academic year, CS/HB 1273 requires the existing character-development program that is only taught in public elementary schools to be taught in all K-12 grades. Additionally, the bill requires each school board to develop a curriculum for the character-development program and submit it to the Department of Education for approval. This curriculum must stress the qualities of patriotism, responsibility, citizenship, kindness, respect, honesty, self-control, tolerance, and cooperation.

Since this bill requires a character-development program to be taught in all K-12 grades; effective July 1, 2004, the bill amends current law by deleting language that permits each school district to determine whether or not to provide students with character-development instruction at the appropriate grade levels.

While this bill requires the existing character-development program to be taught in all K-12 grades and expands the curriculum of the program, this bill does not appear to have a significant fiscal impact on state or local governments because it appears that significant additional personnel aren't needed to comply with the provisions of the bill.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

This bill does not appear to support the principle of less government because it requires public school instructional personnel to teach the existing character-development program in all K-12 grades. Additionally, this bill requires each school board to expand the curriculum for the character-development program and submit it to the Department of Education for approval.

B. PRESENT SITUATION:

Among the subjects that public school instructional personnel are statutorily required to teach, s. 233.061(2)(q), F.S., requires that a character-development program be taught in all public elementary schools. The program must be secular in nature and must stress such character qualities as attentiveness, patience, and initiative.

Pursuant to s. 233.0612(1), F.S., each school district is permitted to provide students with programs and instruction at the appropriate grade levels in character-development, ethics, and law education.

Presently, public school instructional personnel are not statutorily required to teach a character-development program in middle or secondary schools.

C. EFFECT OF PROPOSED CHANGES:

Beginning with the 2004-2005 academic year, CS/HB 1273 requires the existing character-development program that is only taught in public elementary schools to be taught in all K-12 grades. Additionally, the bill requires each school board to develop a curriculum for the character-development program and submit it to the Department of Education for approval. This curriculum must stress the qualities of patriotism, responsibility, citizenship, kindness, respect, honesty, self-control, tolerance, and cooperation.

Since this bill requires a character-development program to be taught in all K-12 grades; effective July 1, 2004, the bill amends current law by deleting language that permits each school district to determine whether or not to provide students with character-development instruction at the appropriate grade levels.

D. SECTION-BY-SECTION ANALYSIS:

SECTION 1: Amends s. 233.061(2)(q), F.S., to require the existing character-development program that is only taught in public elementary schools to be taught in all K-12 grades, beginning with the 2004-2005 academic year.

SECTION 2: Amends s. 233.0612(1), F.S., effective July 1, 2004, by deleting language that permits each school district to determine whether or not to provide students with character-development instruction at the appropriate grade levels.

SECTION 3: Establishes an effective date of July 1, 2002, except as otherwise provided in the bill.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Please see FISCAL COMMENTS.

2. Expenditures:

Please see FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Please see FISCAL COMMENTS.

2. Expenditures:

Please see FISCAL COMMENTS.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Please see FISCAL COMMENTS.

D. FISCAL COMMENTS:

While this bill requires the existing character-development program to be taught in all K-12 grades and expands the curriculum of the program, this bill does not appear to have a significant fiscal impact on state or local governments because it appears that significant additional personnel aren't needed to comply with the provisions of the bill.

The Department of Education reports that any additional staff needed to approve each school board's curriculum for the character development program may generate an annual cost of approximately \$19,000. However, the bill does not appear to have an effect on state appropriations.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

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

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

This bill does not appear to violate any constitutional provisions.

B. RULE-MAKING AUTHORITY:

This bill does not grant additional rule-making authority.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On February 19, 2002, the Committee on Education Innovation adopted a traveling amendment that provides school boards with the option of developing **or adopting** a curriculum for the character-development program that is submitted to the Department of Education for approval.

On February 28, 2002, the Council for Lifelong Learning reported the bill favorably as a council substitute.

VII. SIGNATURES:

COMMITTEE ON EDUCATION INNOVATION:

Prepared by:

Staff Director:

Daniel Furman

Daniel Furman

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AS REVISED BY THE COUNCIL FOR LIFELONG LEARNING:

Prepared by:

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Patricia Levesque