

AIDS prevention is currently a topic covered in health-related courses offered in the curricula for both middle school (grades 6-8) and high school (grades 9-12) public school students in Florida, according to the Department of Education's Course Code Directory and related course descriptions. S. 1003.42(3), F.S. provides, however, that course descriptions for comprehensive health education must not interfere with local determination of an appropriate curriculum that reflects local values and concerns. Accordingly, while course descriptions promulgated by the Department of Education may include instruction concerning HIV/AIDS prevention as part of various health courses, school districts may specifically opt not to teach such information.

While public schools in Florida often include HIV/AIDS prevention as a topic in health courses, s. 1002.20, F.S., provides that a public school student whose parent makes written request to the school principal must be exempted from receiving instruction concerning any reproductive health or disease information, including instruction about HIV/AIDS.

III. Effect of Proposed Changes:

SB 1262 provides that, beginning in the 2003-2004 school year, the Department of Education (DOE) must award competitive grants to public school districts for the implementation of AIDS education activities by the districts. Grants would be made from funds appropriated by the Legislature for this purpose. School districts may apply for these grants by submitting a grant proposal to the DOE by August 1 of each year on a form prescribed by the DOE.

The bill requires grant proposals to include:

- A detailed description of the proposed program, including a description of objectives, activities, target population, and number of students to be served, as well as identification of education, community agency, private sector, or other personnel and resources to be involved in the program's development and implementation;
- An assurance that parents will be involved in the development and implementation of the program;
- A detailed program budget; and
- Measures for evaluating the effectiveness of the program.

The DOE is required to consider specific criteria for awarding the grants and must make information regarding these criteria available to interested districts. Criteria for selecting grant recipients must include:

School-based programs are critical for reaching youth before behaviors are established. Because risk behaviors do not exist independently, topics such as HIV, STDs, unintended pregnancy, tobacco, nutrition, and physical activity should be integrated and ongoing for all students in kindergarten through high school. The specific scope and content of these school health programs should be locally determined and consistent with parental and community values.

(Emphasis in original.) "Young People at Risk: HIV/AIDS Among America's Youth," Centers for Disease Control & Prevention National Center for HIV, STD, and TB Prevention, Divisions of HIV/AIDS Prevention, March 11, 2002, available at <http://www.cdc.gov/hiv/pubs/facts/youth.htm>.

- The rates of HIV/AIDS, sexually transmitted disease, and teenage pregnancy within the geographic area to be served by the program, with priority given to areas with high rates;
- Qualifications of personnel who will be responsible for program administration and implementation;
- The proposed coordination of the new program with existing school health education programs;
- The potential effectiveness of the program; and
- The degree to which the program's objectives and activities are consistent with the goals of the statute.

School districts receiving grants must submit an annual report to the DOE documenting whether their program goals are being met.

Instruction regarding AIDS prevention is not mandatory in Florida at this time, and the provisions of SB 1262 would not change that situation. The bill would offer an opportunity for school districts to enhance their existing AIDS prevention strategies with additional programs by providing necessary funding for the programs.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires the legislature to appropriate funds annually for the grants to be made to school districts. Because it is not known how many districts would apply for the grants,

and because the bill does not stipulate how many grants are to be awarded or set a dollar cap on the amount of grant funds to be awarded annually, it is not possible to estimate the size of the appropriation that would be required for this program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
