

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Promote Personal Responsibility-- The bill requires school districts to provide training that enhances student's ability to resolve interpersonal disputes with or among peers.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

Statute requires each school district to provide a character development program to all students in kindergarten through grade 12. Each district must submit its character development curriculum to the Department of Education (DOE) for approval. A character development curriculum must: (1) be secular in nature; and (2) emphasize qualities such as patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.¹

In addition to Florida, at least 29 states address character development statutorily.² Nineteen of these states require such instruction.³ Ten states make it optional.⁴ Three states statutorily include conflict resolution among the character development topics that must be covered.⁵

Effect of Proposed Changes

House Bill 505 adds a requirement that school district character development curricula also include instruction in conflict resolution management and peer mediation.

C. SECTION DIRECTORY:

Section 1. Amending s. 1003.42(2)(s), F.S.; requiring school district character development curricula to address conflict resolution management and peer mediation.

Section 2. Providing an effective date.

¹ Section 1003.42(2)(s), F.S.

² Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Illinois, Indiana, Iowa, Louisiana, Kentucky, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, and West Virginia.

³ See Ala. Code § 16-6B-2 (2008); Ark. Code Ann. § 6-16-111; Conn. Gen. Stat. Ann. § 10-19 (West 2008); Ga. Code Ann. §20-2-145 (Harrison 2008); 105 Ill. Comp. Stat. Ann. 5/27-12 (West 2008); Ind. Code Ann. §§ 20-30-5-5 and 20-30-5-6 (West 2008); La. Rev. Stat. Ann. §§ 17:282.2 (West 2008); Ky. Rev. Stat. Ann § 158.6451 (Banks-Baldwin 2008); Mass. Gen. Laws Ann. 69 § 1L (West 2008); Mont. Code Ann. § 20-4-301 (2008); Neb. Rev. Stat. Ann. §79-725 (Michie 2008); N.Y. Educ. Law § 801-a (McKinney 2008); N.C. Gen. Stat. § 115C-81 (2008); S.C. Code Ann. § 59-17-135 (Law. Co-op. 2008); S.D. Codified Laws § 13-33-6.1 (Michie 2008); Tenn. Code Ann. § 49-6-1007 (2008); Utah Code Ann. § 53A-13-109 (2008); Va. Code Ann. § 22.1-208.01 (Michie 2008); and W. Va. Code Ann. § 18-2-13 (Michie 2008).

⁴ Ariz. Rev. Stat. Ann. § 15-719 (West 2008); Cal. Educ. Code § 233 (West 2008); Colo. Rev. Stat. Ann. §22-29-103 (West 2008); Iowa Code Ann. §256.18 (West 2008); Minn. Stat. Ann. § 120B.232 (West 2008); Miss. Code Ann. § 37-13-181 (2008); Okla. Stat. Ann. tit. 70, § 1210.229-6 (West 2008); Or. Rev. Stat. § 336.181 (2008); 24 Pa. Cons. Stat. § 15-1502-E (2008); and Tex. Educ. Code Ann. § 29.906 (Vernon 2008).

⁵ Minn. Stat. Ann. § 120B.232 (West 2008); N.C. Gen. Stat. § 115C-81 (2008); and W. Va. Code Ann. § 18-2-13 (Michie 2008).

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 revenues.

2. Expenditures:

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

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

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

2. Expenditures:

This bill may have an insignificant fiscal impact on local expenditures which may be addressed within existing funding. (See FISCAL COMMENTS).

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

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

D. FISCAL COMMENTS:

School districts receive categorical funding for Safe Schools activities via the Florida Education Finance Program.⁶ The 2007 Legislature appropriated \$76,617,665 for Safe Schools activities. Proviso allotted \$74,483 to be distributed to each district, with the remainder allocated as follows: (1) two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement; and (2) one-third based on each district's share of the state's total unweighted student enrollment.

Among other things, proviso authorizes the use of Safe Schools funds for the "implementation of conflict resolution strategies."⁷ School districts are also eligible for federal grant funding via the Safe and Drug Free Schools program for conflict resolution programs that meet specified criteria.⁸

The bill is expected to have an insignificant fiscal impact on school districts because they are currently required to teach a character development curriculum, which in some districts may already address conflict resolution and peer mediation. According to the DOE analysis, the bill may require, "Minimal professional development ... for teachers to implement the new conflict resolution and peer mediation part of the curriculum."⁹ It appears, however, that any minimal cost associated with such professional development may be addressed with existing state Safe Schools and federal Safe and Drug Free Schools funding.

⁶ Section 1011.62(6)(b)2., F.S.

⁷ Specific Appropriation 86 of the Conference Committee Report on Senate Bill 2800, Enrolled Chapter 2007-72, L.O.F., as amended by Chapter 2007-326, L.O.F.

⁸ 20 U.S.C.A. §§ 7112 and 7113.

⁹ Department of Education, 2008 Bill Analysis for HB 505.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

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

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

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

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

Representative Thompson submitted the following sponsor statement:

The addition of conflict resolution management (including peer mediation) to the character development curriculum for K-12 will serve to combat increasing levels of school violence and allow specially trained student mediators to work with their peers to resolve conflicts. This will reduce traditional disciplinary actions such as suspension, detention and expulsion.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES