

By the Committee on Education Pre-K - 12; and Senator Wise

581-05283-10

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1 A bill to be entitled

2 An act relating to public education; creating s.  
3 1003.4505, F.S.; prohibiting district school boards,  
4 administrative personnel, and instructional personnel  
5 from taking affirmative action that infringes or  
6 waives the rights or freedoms afforded by the First  
7 Amendment to the United States Constitution in the  
8 absence of express written consent; providing an  
9 effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Section 1003.4505, Florida Statutes, is created  
14 to read:

15 1003.4505 Protection of school speech.—District school  
16 boards, administrative personnel, and instructional personnel  
17 are prohibited from taking affirmative action, including, but  
18 not limited to, the entry into any agreement that infringes or  
19 waives the rights or freedoms afforded to instructional  
20 personnel, school staff, or students by the First Amendment to  
21 the United States Constitution, in the absence of the express  
22 written consent of any individual whose constitutional rights  
23 would be impacted by such infringement or waiver.

24 Section 2. This act shall take effect July 1, 2010.