

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Education Pre-K - 12 Committee

BILL: CS/CS/SB 578

INTRODUCER: Education Pre-K - 12 Committee, Children, Families, and Elder Affairs Committee, and Senator Ring

SUBJECT: Disability Awareness

DATE: April 14, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Daniell	Walsh	CF	Fav/CS
2.	Carrouth	Matthews	ED	Fav/CS
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes
- B. AMENDMENTS..... Technical amendments were recommended
- Amendments were recommended
- Significant amendments were recommended

I. Summary:

This bill requires district school boards to provide disability history and awareness instruction during the first week in October in all K-12 public schools. Beginning with the 2012-2013 school year, the instruction must be provided by individuals who have a disability or by teachers currently employed at the school site who specialize in exceptional student education.

This bill amends section 1003.4205 of the Florida Statutes.

II. Present Situation:

According to a U.S. Census Bureau report, one in five United States residents, or approximately 54 million Americans, reported some level of disability in 2005.¹ Approximately 13 percent of children age 6 to 14 have a disability,² and as of 2007, 95 percent of students age 6 to 21 were

¹ Disabled World, *New Statistics 54.4 Million Americans with a Disability* (Dec. 20, 2008), available at: <http://www.disabled-world.com/disability/statistics/us-disability-stats.php> (last visited Mar. 17, 2011).

² *Id.*

taught in a general education classroom.³ According to the Museum for DisABILITY History, students:

benefit from learning about the story of people with disabilities, including how they used to be viewed and treated, how conditions have changed over time and how individuals with disabilities are currently actively involved in self-advocacy and in their communities. Given the context of disability history, students will be equipped with the tools needed to engage in critical thinking and will be more likely to view individuals with disabilities as people deserving of dignity and respect just like everyone else.⁴

On this premise, disability advocates began a campaign to help create understanding and to celebrate the history of individuals with disabilities, and in 2006, West Virginia passed the first Disability History Week bill.⁵ Fourteen other states, including Florida, have since passed similar legislation.⁶

In 2008, the Florida Legislature created s. 1003.4205, F.S.,⁷ which authorizes each district school board to provide disability history and awareness instruction in all K-12 public schools during the first two weeks in October. During “Disability History and Awareness Weeks,” students may be provided with instruction to expand their knowledge, understanding, and awareness of individuals with disabilities and the history of disability and the disability rights movement. The instruction of these things can be integrated into the existing school curriculum and may be taught by qualified school personnel or knowledgeable guest speakers.

The Bureau of Exceptional Education and Student Services, within the Department of Education (DOE), developed the Disability History and Awareness: A Resource Guide (guide) in order to help school districts promote Disability History and Awareness Weeks.⁸ The guide includes, among other things:

- Promotional ideas to help schools promote disability history and awareness;
- Flyers recognizing the contributions of various individuals with disabilities;
- Disability etiquette documents;
- Documents concerning “people first” language;
- A guide to differentiated instruction;
- A copy of “A Legislative History of Florida’s Exceptional Student Education Program”; and

³ National Center for Education Statistics, *Fast Facts*, available at: <http://nces.ed.gov/fastfacts/display.asp?id=59> (last visited Mar. 17, 2011).

⁴ Museum of DisABILITY History, *Disability History Week: Importance*, available at: <http://disabilityhistoryweek.org/pages/importance/> (last visited Mar. 17, 2011).

⁵ Museum of DisABILITY History, *Disability History Week: National Disability History Week Initiative*, available at: <http://www.disabilityhistoryweek.org/blogs/read/9> (last visited Mar. 17, 2011).

⁶ *Id.*

⁷ Ch. 2008-156, s. 1, L.O.F.

⁸ Bureau of Exceptional Education and Student Services, Department of Education, *Disability History and Awareness: A Resource Guide* (2010), available at: <http://www.fldoe.org/ese/pdf/DHA-Resource2010.pdf> (last visited April 8, 2011).

- A list of websites that contain a variety of games, activities, and lesson plans that can be integrated into a curriculum for students.⁹

In 2010, s. 1012.582, F.S., was created and directed the Commissioner of Education (commissioner) to develop recommendations to incorporate instruction regarding autism spectrum disorder, Down syndrome, and other developmental disabilities into continuing education for instructional personnel.¹⁰ The commissioner was instructed to address:

- Early identification of, and intervention for, students who have autism spectrum disorder, Down syndrome, or other developmental disabilities;
- Curriculum planning and curricular and instructional modifications, adaptations, and specialized strategies and techniques;
- The use of available state and local resources;
- The use of positive behavioral supports to deescalate problem behaviors; and
- Appropriate use of manual physical restraint and seclusion techniques.¹¹

The statute required DOE to incorporate the course curricula recommended by the commission in the 2010-2011 school year.

III. Effect of Proposed Changes:

This bill requires district school boards to provide disability history and awareness instruction in all K-12 public schools during the first week in October. The week would be designated as “Disability History and Awareness Week.” This instruction is currently an optional activity which may be provided anytime during the first two weeks of October.

The bill requires that the instruction be provided by individuals with a disability or by teachers currently employed at the school site who specialize in exceptional student education, beginning in the 2012-2013 school year.

Because the Department of Education has developed a Disability History and Awareness Resource Guide¹² which includes curriculum topics required under the bill, it may be beneficial to use or adapt the work already completed in this area.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

⁹ *Id.* at 1.

¹⁰ Ch. 2010-224, s. 6, L.O.F.

¹¹ Section 1012.582(1), F.S.

¹² Bureau of Exceptional Education and Student Services, Department of Education, *Disability History and Awareness: A Resource Guide* (2010), available at: <http://www.fldoe.org/ese/pdf/DHA-Resource2010.pdf> (last visited April 8, 2011).

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 Committee on April 14, 2011:

The committee substitute removes the licensing and regulation provisions that authorized the Governor's Commission on Disabilities to certify and assess fees of prospective trainers and instructors in disability awareness.

CS by Children, Families, and Elder Affairs on March 22, 2011:

The committee substitute changes the date the study by the private nonprofit entity must be submitted to the Governor's Commission on Disabilities from July 1, 2011 to July 1, 2012.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
