

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 689 American Founders' Month
SPONSOR(S): Bileca
TIED BILLS: **IDEN./SIM. BILLS:** SB 1462

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-20 Innovation Subcommittee	11 Y, 3 N	Graf	Sherry
2) PreK-12 Appropriations Subcommittee	13 Y, 2 N	Miller	Heflin
3) Education Committee			

SUMMARY ANALYSIS

The bill authorizes the Governor to issue a proclamation each year designating the month of September as "American Founders' Month," urging public and private organizations within the state, including educational institutions, to celebrate the month accordingly.

The bill also requires district school boards to observe American Founders' Month and provide instruction that focuses on celebrating the American Founding Fathers and their role in drafting the founding documents. Celebrations during this month may be coordinated with Celebrate Freedom Week.

During American Founders' Month, the bill authorizes each district school board to provide instruction that focuses on the "moral and civic virtue, self-sacrifice, intellectual genius, and patriotism" of the Founding Fathers and the importance of the founding documents and the principles inherent in such documents. The bill authorizes district school boards to integrate instruction provided during American Founders' Month into existing school curriculum.

Current law requires the Department of Education to distribute a copy of the law on patriotic programs to each district school board and each district school superintendent is required to distribute a copy of the law to all teachers and administrators. The bill expands patriotic programs to include proclamation of American Founders' Month, and specified instruction on the Founding Fathers and founding documents. The bill changes the scope of distribution of the law on patriotic programs from all teachers and administrators to all instructional personnel and school administrators.

The bill does not appear to have a fiscal impact.

The bill takes effect July 1, 2012.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Required Instruction in Public Schools

Each district school board is required to provide courses that meet the State Board of Education standards in the various subject areas including social studies. Current law requires instruction in the history and content of the Declaration of Independence, the Constitution of the United States, flag education, and the arguments in support of adopting our republican form of government.¹

Patriotic Programs

Each district school board is authorized to adopt rules that require programs of a patriotic nature in public schools to encourage respect for the United States government, its national anthem and flag, subject to the laws of the United States of America and of the State of Florida. Current law provides for procedures to observe patriotic events such as requiring students to stand and place their right hand over their heart during the rendition of the pledge of allegiance to the flag of the United States. Civilian men must remove headdress unless such headdress is worn for religious purposes.

Any teacher or school administrator may read or post specified historical documents (e.g. the national motto, the national anthem, the pledge of allegiance, the Constitution of the United States, and the Constitution of the State of Florida) in a public school building, classroom, or at any school-related event. Such documents may be read, posted, or taught only from a historical perspective, in a nonproselytizing manner. If an excerpt from a specified historical document is used, such selection must reflect the sentiment of the entire document. If such document refers to laws or judicial decisions that have been replaced or have expired, a statement must accompany the document highlighting that such law or decision is no longer valid.²

The Florida Department of Education (DOE) is required to distribute a copy of the law on patriotic programs to each district school board, and each district school superintendent is required to distribute it to all teachers and administrators in their school district.³

Recitation of the Declaration of Independence

Florida law requires that the last full week of classes in September must be recognized as Celebrate Freedom Week in public schools. This week must include at least three hours of instruction involving an in-depth study of the intent, meaning, and importance of the Declaration of Independence in each social studies class, as determined by each school district. Additionally, public school principals and teachers must conduct an oral recitation by students of the Declaration of Independence at the beginning of each school day or in homeroom to reaffirm the American ideals of individual liberty. Students must be excused from reciting the Declaration of Independence if their parents indicate their wish as such in writing.⁴

Effect of Proposed Changes

The bill authorizes the Governor to issue a proclamation each year designating the month of September as "American Founders' Month." Both public and private organizations within the state are urged to celebrate the month through appropriate programs, meetings, or services in which state and local government officials are invited to attend to commemorate American Founders' Month.

¹ Section 1003.42 (1) and (2)(a)-(d), F.S.

² Section 1003.44(2), F.S.

³ *Id.*

⁴ Section 1003.421, F.S.

The bill also requires each district school board to observe American Founders' Month in order to celebrate the American Founding Fathers and the principles inherent in the country's founding documents. Celebrations during this month may be coordinated with Celebrate Freedom Week.

To ensure an increase in student awareness regarding the Founding Fathers and their role in establishing the United States of America, the bill specifies the focus of instruction during American Founders' Month to include:

- The leading figures present at the country's founding who were instrumental in crafting the founding documents that institutionalized individual liberty and limited government that derives its power from the consent of the governed.
- The moral and civic virtue, self-sacrifice, intellectual genius, and patriotism demonstrated by the country's founding fathers.
- The founding documents, including, but not limited to, the Declaration of Independence, the Constitution of the United States, the Bill of Rights, and the Federalist Papers.
- The historical and philosophical importance of the Declaration of Independence with its emphasis that all people "are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."
- The principles inherent in the founding documents, including, but not limited to, individual freedom, equality, limited representative government, a free market system, civic virtue, natural law, and self-evident truth.

The bill further authorizes each district school board to integrate instruction provided during American Founders' Month into existing school curriculum by supplementing lesson plans, holding school assemblies, or providing school-related activities. In addition, the bill increases the scope for a district school board superintendent to distribute a copy of the law on patriotic programs to include all school administrators and instructional personnel.

B. SECTION DIRECTORY:

Section 1. Provides a short title.

Section 2. Creates s. 683.147, F.S., relating to the "American Founders' Month Act," designating the month of September of each year as American Founders' Month.

Section 3. Amends s. 1003.44, F.S., relating to patriotic programs, requiring district school boards to observe American Founders' Month and coordinate celebrations with Celebrate Freedom Week; specifying the focus of instruction during the month; providing that such instruction may be integrated into existing school curriculum; and requiring distribution of specified information to school personnel.

Section 4. Provides an effective date of July 1, 2012.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

School districts may provide students with instruction that focuses on the people, the events, the documents, the ideas, and the key principles surrounding the foundation of America. This instruction may be included in existing lesson plans, or taught in school assemblies or other school-related activities. School districts that choose to include this instruction could incur minimal costs.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.