

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 225 Education

**SPONSOR(S):** PreK-12 Quality Subcommittee, Beltran and others

**TIED BILLS:** None **IDEN./SIM. BILLS:** CS/SB 292

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee	13 Y, 0 N, As CS	Sleap	Guy
2) Local, Federal & Veterans Affairs Subcommittee	13 Y, 0 N	Renner	Miller
3) Education Committee			

### SUMMARY ANALYSIS

The bill allows a student to wear the uniform of a branch of the United States Armed Forces or the National Guard at the student's high school graduation ceremony if the student has completed basic training and is an active member of the service.

The bill does not appear to have a fiscal impact.

The bill takes effect upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Florida High School Graduation**

###### Present Situation

###### *Requirements*

Florida law establishes academic requirements for earning a standard high school diploma to include four options:

- successful completion of 24 credits;
- an International Baccalaureate curriculum;
- an Advanced International Certificate of Education curriculum<sup>1</sup>; or
- the Academically Challenging Curriculum to Enhance Learning (ACCEL) option<sup>2</sup>.

The 24 credits required for a standard high school diploma include:

- four credits in English Language Arts;
- four credits in mathematics;
- three credits in science;
- three credits in social studies;
- one credit in fine or performing arts, speech, and debate, or practical arts;
- one credit in physical education; and
- eight credits in electives.<sup>3</sup>

Within the 24 credits, at least one course must be completed through online learning.<sup>4</sup> In addition to successful completion of the required courses, students must pass required statewide standardized assessments and earn a cumulative grade point average (GPA) of 2.0 on a 4.0 scale.<sup>5</sup>

###### *High School Graduation Exercises*

Current law provides district school boards with the operation and control of public K-12 education within their school district, including adopting rules for admitting, classifying, promoting, and graduating students in the schools of the district.<sup>6</sup> In addition, school boards have supplemental powers and duties over student affairs, to include the authority to adopt policies and procedures specific to graduation requirements and exercises for the district.<sup>7</sup>

There is no provision in current law governing dress code requirements for students participating in graduation exercises. Therefore, local school board, school districts, and school administration have discretion over graduation dress code.

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<sup>1</sup> Section 1003.4282(1)(a), F.S.

<sup>2</sup> Section 1002.3105(5), F.S.

<sup>3</sup> Section 1003.4282(3)(a)-(g), F.S.

<sup>4</sup> Section 1003.4282(4), F.S.

<sup>5</sup> Section 1003.4282(3) and s. 2003.4282(6)(a), F.S.

<sup>6</sup> Section 1003.02, F.S.

<sup>7</sup> Section 1001.43(8), F.S.

## *High School Graduation Dress Code in Other States*

Each of the military branches has their own requirements that dictate a particular uniform, but as a general matter, a recruit that has completed basic training is classified as a “soldier.”<sup>8</sup> Nationally, research finds that four states have laws allowing eligible students the right to wear military uniforms at a high school graduation ceremony. California, New Hampshire, New Jersey, and Pennsylvania all allow a student who fulfills the established graduation requirements, and is eligible, to wear the appropriate military dress uniform at the student’s high school graduation ceremony. These states have adopted substantially similar language providing a student is eligible to wear a dress uniform issued by a branch of the United States Armed Forces while participating in a high school graduation ceremony, if the student has completed basic training, and is an active member of the United States Armed Forces.<sup>9</sup>

### *Military Recruitment and Basic Training*

The United States Armed Forces are comprised of the Army, Navy, Marines, Air Force, and Coast Guard. In order to join one of the branches, a person must be at least 17 years old with parental consent or 18 years old for voluntary service.<sup>10</sup> The age requirements also apply for joining the Florida National Guard (FLNG).<sup>11</sup>

Each branch and the FLNG have varying basic training lengths and requirements for enlisted servicemembers as follows:

- **FLNG**- basic training is 10 weeks long and recruits must be at least a junior in high school.<sup>12</sup>
- **Marines**- basic training is 13 weeks long and recruits must have a high school diploma.<sup>13</sup>
- **Army**- basic training is about 10 weeks long and recruits must have a high school diploma or equivalent.<sup>14</sup>
- **Navy**- basic training is seven weeks long and recruits must have a high school diploma or equivalent.<sup>15</sup>
- **Air Force**- basic training is 7.5 weeks and recruits must have a high school diploma or equivalent.<sup>16</sup>
- **Coast Guard**- basic training is about five weeks and recruits must have a high school diploma or equivalent.<sup>17</sup>

### Effect of Proposed Changes

The bill amends the supplemental powers and duties of a district school board over student assessment and affairs. It clarifies that while a district school board has discretion over graduation exercises, the board must allow a student to wear the uniform of a branch of the United States Armed Forces or the National Guard at the student’s high school graduation ceremony, if the student has

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<sup>8</sup> Telephone interview with U.S. Army Recruiting Office, West Tallahassee (March 18, 2019).

<sup>9</sup> Cal. Education Code § 351.83.3 (2009); N.H. REV. STAT. ANN. § 189:71 (2016); N.J. STAT. ANN. § 1-C.18A:7C-5.3; and PA. CONS. STAT. Title 24 P.S. Education § 16-1616.

<sup>10</sup> 10 U.S.C. § 505

<sup>11</sup> Florida National Guard, *Eligibility*, available at <https://www.nationalguard.com/eligibility> (last visited March 21, 2019).

<sup>12</sup> *Id.*

<sup>13</sup> U.S. Marines website, *Becoming a Marine*, available at <https://www.marines.com/becoming-a-marine/enlisted.html> (last visited March 21, 2019).

<sup>14</sup> U.S. Army website, *Requirements and Qualifications*, available at <https://www.goarmy.com/learn/army-requirements-and-qualifications.html> (last visited March 21, 2019).

<sup>15</sup> U.S. Navy website, *Joining the Navy if you haven’t served before*, available at <https://www.navy.com/joining-navy-if-you-havent-served> (last visited March 21, 2019).

<sup>16</sup> U.S. Air Force, *Becoming an Enlisted Airman Basic Requirements*, available at <https://www.airforce.com/how-to-join/process/enlisted> (last visited March 21, 2019).

<sup>17</sup> U.S. Coast Guard website, *Advance Through Training as A Coast Guard Member*, available at <https://www.gocoastguard.com/active-duty-careers/enlisted-opportunities/advance-through-training> (last visited March 21, 2019).

completed basic training and is an active member of a branch of the United States Armed Forces or the National Guard.

**B. SECTION DIRECTORY:**

**Section 1:** Amends s. 1001.43, F.S., requiring a district school board to allow a student to wear a dress uniform of the United States Armed Forces or the National Guard at a high school graduation ceremony under certain circumstances.

**Section 2:** Provides the act shall take effect upon becoming a law.

**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:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not require counties or municipalities to expend funds or restrict their ability to raise revenue.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill neither authorizes nor requires administrative rulemaking by executive branch agencies.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On March 19, 2019, the PreK-12 Quality Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment clarifies that a student may wear to his or her graduation ceremony the uniform of any branch of the United States Armed Forces or the National Guard. Additionally, the amendment clarifies eligibility to include a student who has completed basic training and is an active member of a branch of the United States Armed Forces or the National Guard.

The analysis is drafted to the committee substitute passed by the Pre-12 Quality Subcommittee.