

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 469 Required Student Instruction on Voting

SPONSOR(S): Secondary Education & Career Development Subcommittee, Drake and others

TIED BILLS: None **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Secondary Education & Career Development Subcommittee	17 Y, 0 N, As CS	Wolff	Sanchez
2) PreK-12 Appropriations Subcommittee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

Continuing Florida's efforts to improve the civic literacy and civic engagement of its students, the bill requires that school district character development curriculum for grades 11 and 12 include instruction on voting using the uniform primary and general election ballot adopted by the Florida Department of State (DOS).

The bill does not have a fiscal impact.

The bill provides an effective date of July 1, 2021.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The mission of Florida's K-20 education system is to "allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities."¹ Civic literacy and preparing students to become civically engaged and knowledgeable adults who positively contribute to their communities is a priority of the Florida education system.²

Character Development Instruction

Florida law requires that public school students in grades K-12 receive instruction on specific subjects including the history, significance, and principles of the Declaration of the Independence and the Constitution of the United States, flag education, civil government, and comprehensive health education, among others. Instructional personnel are required to teach these subjects efficiently and faithfully, using historically accurate books and materials, following prescribed courses and approved methods of instruction.³ Florida law does not dictate grade level, instructional material, or instructional hour requirements.⁴ In October 2019, the Department of Education (DOE) adopted a rule requiring school districts to report, annually each summer, on how instruction was provided during the previous school year for certain subjects defined in s. 1003.42, F.S.⁵ The report must include specific courses offered for each grade level and what materials and resources were used.⁶

Under s. 1003.42, F.S., public schools are required to develop or adopt a character development program for kindergarten through grade 12 and submit the program to the DOE for approval.⁷ For the elementary grades, the character development program must be similar to Character First or Character Counts programs.⁸ The character development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.⁹ Character development programs in high schools must include instruction on:¹⁰

- developing leadership skills, interpersonal skills, organization skills, and research skills;
- creating a resume;
- developing and practicing the skills necessary for employment interviews;
- managing stress and expectations; and
- developing skills that enable students to become more resilient and self-motivated.

The current State Board of Education adopted standards do not include character development programs, and there is no instructional model currently available in CPALMS.¹¹

¹ Section 1000.03(4), F.S.

² Section 1000.03(5)(c), F.S.

³ Section 1003.42(2), F.S.

⁴ *See id.*

⁵ Rule 6A-1.094124, F.A.C.

⁶ *Id.*

⁷ Section 1003.42(2)(s), F.S.

⁸ *Id.* The DOE provides access to the Character Counts curriculum through its website. Florida Department of Education, *Free Resources for Families & Teachers*, <http://www.fldoe.org/em-response/resources-families.stml> (last visited March 30, 2021).

⁹ Section 1003.42(2)(s), F.S.

¹⁰ *Id.*

¹¹ CPALMS, *About CPALMS*, http://www.cpalms.org/CPALMS/about_us.aspx, (last visited March 30, 2021). CPALMS is the State of Florida's official source for standards information and course descriptions. It provides access to thousands of standards-aligned, free, and high-quality instructional/educational resources that have been developed specifically for the standards and vetted through a rigorous review process.

Voting Systems and Uniform Ballots

Chapter 101, F.S., governs voting methods and procedures in Florida. Voting in Florida is overseen by the DOS and the DOS is required to adopt rules establishing the minimum standards for voting systems.¹² Pursuant to these rules, the DOS has certified two voting systems.¹³ Current law requires the DOS to adopt rules prescribing a uniform primary and general election ballot for each certified voting system.¹⁴ The DOS rule relating to uniform ballots incorporates by reference examples of both primary and general election ballots.¹⁵

Effect of Proposed Changes

The bill requires the character development curriculum required for grades 11 and 12 include instruction on voting using the uniform primary and general election ballots adopted by the DOS.

B. SECTION DIRECTORY:

Section 1. Amends s. 1003.42, F.S., requiring character development curriculum for certain grades to include instruction on voting using specified ballot.

Section 2. Provides for an effective date of July 1, 2021.

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.

¹² Section 101.015, F.S. See ch. 1S-2, F.A.C.

¹³ Florida Department of State, *Certified Voting Systems and Vendors*, <https://dos.myflorida.com/elections/voting-systems/certified-voting-systems-and-vendors/> (last visited March 30, 2021). As of November 2020, eighteen counties use the Democracy Suite voting system and 49 counties use the EVS voting system. Florida Department of State, *2020 Voting Systems*, available at https://fldoswebumbracoprod.blob.core.windows.net/media/703669/voting-systems-in-use-by-county_4publication-website-copy-111220.pdf (last visited March 30, 2021).

¹⁴ Section 101.151(9), F.S.

¹⁵ Rule 1S-2.032, F.A.C.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 30, 2021, the Secondary Education & Career Development Subcommittee adopted a proposed committee substitute (PCS) and reported the bill favorably as a committee substitute. The PCS differs from HB 469 by requiring that the school district adopted character development curriculum include instruction on voting for students in grades 11 and 12 instead of grades 6 through 12.

The bill analysis is drafted to the committee substitute adopted by the Secondary Education & Career Development Subcommittee.