

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 Committee on Education Pre-K -12

BILL: SB 804

INTRODUCER: Senator Simon

SUBJECT: Required African-American Instruction

DATE: April 3, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sabitsch	Bouck	ED	Pre-meeting
2.	_____	_____	AED	_____
3.	_____	_____	FP	_____

I. Summary:

SB 804 adds requirements regarding the required instruction in Florida schools related to the history of African Americans.

The bill requires school districts to annually certify and provide evidence to the Department of Education (DOE) that the requirements for African American history instruction are met.

The bill expands entities from whom the DOE may seek input regarding standards and curriculum from state or national African American organizations, and authorizes the DOE to contract with state or national African American educational organizations to develop training for instructional personnel and classroom resources.

This bill does not have an impact on state revenues or expenditures.

The bill takes effect on July 1, 2023.

II. Present Situation:

Required Instruction

Each district school board must provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet the state's adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.¹

¹ Section 1003.42(1)(a), F.S.

Instructional personnel must, subject to the rules of the State Board of Education and the district school board, teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, topics that include:²

- The history and content of the Declaration of Independence and Constitution of the United States.
- The elements of civil government.
- The history of the United States.
- The history of the Holocaust.
- The history of the state.
- Comprehensive age-appropriate and developmentally appropriate health education and life skills.
- The study of women's contributions to the United States.
- Civic and character education.

African American History

African American history is part of the required instruction that must be taught in all public schools.³ For African American history, the following areas of study are required:⁴

- The history of African peoples before the political conflicts that led to the development of slavery;
- The passage to America;
- The enslavement experience;
- Abolition; and
- The history and contributions of Americans of the African diaspora to society.⁵

The purpose of such instruction is for students to develop an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms, and examine what it means to be a responsible and respectful person, for the purpose of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions.⁶

Instruction must include the roles and contributions of individuals from all walks of life and their endeavors to learn and thrive throughout history as artists, scientists, educators, businesspeople, influential thinkers, members of the faith community, and political and governmental leaders and the courageous steps they took to fulfill the promise of democracy and unite the nation.⁷

Instructional materials must include the vital contributions of African Americans to build and strengthen American society and celebrate the inspirational stories of African Americans who prospered, even in the most difficult circumstances.⁸

² Section 1003.42(2), F.S.

³ Section 1003.42, F.S.

⁴ Rule 6A-1.094124, F.A.C.

⁵ Florida Department of Education, *African American History*, <https://www.fldoe.org/academics/standards/subject-areas/social-studies/african-amer-hist.stml> (last visited Mar. 21, 2023).

⁶ Section 1003.42(1)(h), F.S.

⁷ *Id.*

⁸ *Id.*

The Department of Education must prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's African American History Task Force.⁹

In accordance with State Board of Education rule,¹⁰ each school district is required to submit to the Commissioner of Education, by July 1 of each year, a report that describes how instruction was provided for all required areas of instruction, including African American history, for the prior school year. The required report is submitted online through the Required Instruction Reporting Portal and contains:

- The specific courses in which instruction has been delivered for each grade level.
- A description of the materials and resources utilized to deliver instruction.
- The professional qualifications of the person delivering instruction for certain types of instruction.

In 1994, Florida law began requiring the instruction of history, culture, experiences, and contributions of African Americans in the state's K-12 curriculum. The African American History Task Force (AAHTF) was formulated to sustain this effort, and grant supported initiatives were developed to effectively execute the spirit of the law's original legislative intent.¹¹ The AAHTF is an advocate for Florida's school districts, teacher education training centers, and the community at large, in implementing the teaching of the history of African peoples and the contributions of African Americans to society. The Task Force works to ensure awareness of the requirements, identify and recommend needed state education leadership action, assist in adoption of instructional materials by the state, and build supporting partnerships. The stated goals of the ASHTF are:¹²

- Promoting awareness, understanding, and the infusing of the required instruction that addresses the African and African American experience into the curriculum of Florida's schools.
- Development of instructional guidelines, standardized framework, and supplemental materials /resources that include the African and African American experience.
- Provide pre- and in-service training for implementation of the required instruction using various technologies and materials.
- Make recommendations to the Commissioner of Education and the appropriate Florida Department of Education leaders that support the full implementation of the required instruction mandate.¹³

III. Effect of Proposed Changes:

SB 804 modifies s. 1003.42, F.S., regarding African American History instruction.

⁹ Florida Department of Education, *African American History*, <https://www.fldoe.org/academics/standards/subject-areas/social-studies/african-amer-hist.stml> (last visited Mar. 21, 2023)

¹⁰ Rule 6A-1.094124, F.A.C.

¹¹ Commissioner of Education's African American History Task Force, *History*, <https://afroamfl.org/history/> (last visited: Mar. 21, 2023).

¹² Commissioner of Education's African American History Task Force, *Mission and Goals*, <https://afroamfl.org/mission-and-goals/> (last visited Mar. 21, 2023).

¹³ *Id.*

Reporting of Instruction

The bill modifies s. 1003.42(2), F.S., to add reporting requirements for African American history instruction by district school boards. The bill requires each school district to annually certify and provide evidence to the Department of Education (DOE) of compliance with such instruction, and for the DOE to establish the reporting requirements.

Curriculum and Resources

The bill modifies s. 1003.42(2), F.S., to allow the DOE to seek input from any state or nationally recognized African American educational organization regarding the development of standards and curriculum, rather than only the Commissioner of Education's African American History Task Force.

The bill also allows DOE to contract with any state or nationally recognized African American educational organization to develop training for instructional personnel and grade-appropriate classroom resources to support curriculum.

The bill takes effect July 1, 2023.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

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. Statutes Affected:

This bill substantially amends section 1003.42 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.