

HB 91

2020

1 A bill to be entitled
2 An act relating to Holocaust education in public
3 schools; providing a short title; amending s. 1002.33,
4 F.S.; requiring charter school instructional personnel
5 to teach specified topics; amending s. 1002.421, F.S.;
6 requiring certain private school instructional
7 personnel to teach specified topics; amending s.
8 1003.42, F.S.; revising the requirements for
9 instructional content relating to the Holocaust that
10 members of public school instructional staff are
11 required to teach; creating s. 1003.4201, F.S.;
12 requiring the Department of Education, in consultation
13 with a certain organization, to develop specified
14 content standards for a Holocaust curriculum;
15 requiring school districts to provide specified
16 instruction; requiring the department to develop and
17 maintain a specified roster of volunteers; requiring
18 the department to use public and private funds for a
19 specified purpose; requiring the department to
20 coordinate with school districts to appoint Holocaust
21 curriculum coordinators; providing for rulemaking;
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:
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26 Section 1. This act may be cited as the "Holocaust
 27 Education Act of 2020."

28 Section 2. Paragraph (r) is added to subsection (9) of
 29 section 1002.33, Florida Statutes, to read:

30 1002.33 Charter schools.—

31 (9) CHARTER SCHOOL REQUIREMENTS.—

32 (r) Each charter school governing board shall require
 33 charter school instructional personnel to teach efficiently and
 34 faithfully, using the books and materials required which meet
 35 the highest standards for professionalism and historical
 36 accuracy, following the prescribed courses of study, and
 37 employing approved methods of instruction, the topics specified
 38 in s. 1003.42(2)(g).

39 Section 3. Paragraph (r) is added to subsection (1) of
 40 section 1002.421, Florida Statutes, to read:

41 1002.421 State school choice scholarship program
 42 accountability and oversight.—

43 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private
 44 school participating in an educational scholarship program
 45 established pursuant to this chapter must be a private school as
 46 defined in s. 1002.01(2) in this state, be registered, and be in
 47 compliance with all requirements of this section in addition to
 48 private school requirements outlined in s. 1002.42, specific
 49 requirements identified within respective scholarship program
 50 laws, and other provisions of Florida law that apply to private

51 schools, and must:

52 (r) Require members of its instructional personnel to
53 teach efficiently and faithfully, using the books and materials
54 required which meet the highest standards for professionalism
55 and historical accuracy, following the prescribed courses of
56 study, and employing approved methods of instruction, the topics
57 specified in s. 1003.42(2)(g).

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59 The department shall suspend the payment of funds to a private
60 school that knowingly fails to comply with this subsection, and
61 shall prohibit the school from enrolling new scholarship
62 students, for 1 fiscal year and until the school complies. If a
63 private school fails to meet the requirements of this subsection
64 or has consecutive years of material exceptions listed in the
65 report required under paragraph (q), the commissioner may
66 determine that the private school is ineligible to participate
67 in a scholarship program.

68 Section 4. Subsection (2) of section 1003.42, Florida
69 Statutes, is amended to read:

70 1003.42 Required instruction.—

71 (2) Members of the instructional staff of the public
72 schools, subject to the rules of the State Board of Education
73 and the district school board, shall teach efficiently and
74 faithfully, using the books and materials required which ~~that~~
75 meet the highest standards for professionalism and historical

76 accuracy, following the prescribed courses of study, and
77 employing approved methods of instruction, the following:

78 (a) The history and content of the Declaration of
79 Independence, including national sovereignty, natural law, self-
80 evident truth, equality of all persons, limited government,
81 popular sovereignty, and inalienable rights of life, liberty,
82 and property, and how they form the philosophical foundation of
83 our government.

84 (b) The history, meaning, significance, and effect of the
85 provisions of the Constitution of the United States and
86 amendments thereto, with emphasis on each of the 10 amendments
87 that make up the Bill of Rights and how the constitution
88 provides the structure of our government.

89 (c) The arguments in support of adopting our republican
90 form of government, as they are embodied in the most important
91 of the Federalist Papers.

92 (d) Flag education, including proper flag display and flag
93 salute.

94 (e) The elements of civil government, including the
95 primary functions of and interrelationships between the Federal
96 Government, the state, and its counties, municipalities, school
97 districts, and special districts.

98 (f) The history of the United States, including the period
99 of discovery, early colonies, the War for Independence, the
100 Civil War, the expansion of the United States to its present

101 boundaries, the world wars, and the civil rights movement to the
102 present. American history shall be viewed as factual, not as
103 constructed, shall be viewed as knowable, teachable, and
104 testable, and shall be defined as the creation of a new nation
105 based largely on the universal principles stated in the
106 Declaration of Independence.

107 (g) The history of the Holocaust (1933-1945), the
108 systematic, planned annihilation of European Jews and other
109 groups by Nazi Germany, a watershed event in the history of
110 humanity, to be taught in a manner that meets the requirements
111 under s. 1003.4201 and that leads to an investigation of human
112 behavior, an understanding of the ramifications of prejudice,
113 racism, and stereotyping, and an examination of what it means to
114 be a responsible and respectful person, for the purposes of
115 encouraging tolerance of diversity in a pluralistic society and
116 for nurturing and protecting democratic values and institutions.
117 Members of instructional staff shall also:

118 1. Provide instruction that further emphasizes the
119 personal responsibility that each citizen bears to fight racism
120 and hatred whenever and wherever it happens;

121 2. Prepare students to confront and understand the
122 immorality of the Holocaust;

123 3. Promote students' understanding of how the Holocaust
124 contributed to the need for the term "genocide" and led to
125 international legislation that recognized genocide as a crime;

126 4. Stimulate students' reflection on the roles and
127 responsibilities of citizens in democratic societies to combat
128 misinformation, indifference, and discrimination; and

129 5. Preserve the memories of survivors of the Holocaust and
130 provide opportunities for students to discuss and honor
131 survivors' legacies.

132 (h) The history of African Americans, including the
133 history of African peoples before the political conflicts that
134 led to the development of slavery, the passage to America, the
135 enslavement experience, abolition, and the contributions of
136 African Americans to society. Instructional materials shall
137 include the contributions of African Americans to American
138 society.

139 (i) The elementary principles of agriculture.

140 (j) The true effects of all alcoholic and intoxicating
141 liquors and beverages and narcotics upon the human body and
142 mind.

143 (k) Kindness to animals.

144 (l) The history of the state.

145 (m) The conservation of natural resources.

146 (n) Comprehensive health education that addresses concepts
147 of community health; consumer health; environmental health;
148 family life, including an awareness of the benefits of sexual
149 abstinence as the expected standard and the consequences of
150 teenage pregnancy; mental and emotional health; injury

151 prevention and safety; Internet safety; nutrition; personal
152 health; prevention and control of disease; and substance use and
153 abuse. The health education curriculum for students in grades 7
154 through 12 shall include a teen dating violence and abuse
155 component that includes, but is not limited to, the definition
156 of dating violence and abuse, the warning signs of dating
157 violence and abusive behavior, the characteristics of healthy
158 relationships, measures to prevent and stop dating violence and
159 abuse, and community resources available to victims of dating
160 violence and abuse.

161 (o) Such additional materials, subjects, courses, or
162 fields in such grades as are prescribed by law or by rules of
163 the State Board of Education and the district school board in
164 fulfilling the requirements of law.

165 (p) The study of Hispanic contributions to the United
166 States.

167 (q) The study of women's contributions to the United
168 States.

169 (r) The nature and importance of free enterprise to the
170 United States economy.

171 (s) A character development program in the elementary
172 schools, similar to Character First or Character Counts, which
173 is secular in nature. Beginning in school year 2004-2005, the
174 character development program shall be required in kindergarten
175 through grade 12. Each district school board shall develop or

176 | adopt a curriculum for the character development program that
177 | shall be submitted to the department for approval. The character
178 | development curriculum shall stress the qualities of patriotism;
179 | responsibility; citizenship; kindness; respect for authority,
180 | life, liberty, and personal property; honesty; charity; self-
181 | control; racial, ethnic, and religious tolerance; and
182 | cooperation. The character development curriculum for grades 9
183 | through 12 shall, at a minimum, include instruction on
184 | developing leadership skills, interpersonal skills, organization
185 | skills, and research skills; creating a resume; developing and
186 | practicing the skills necessary for employment interviews;
187 | conflict resolution, workplace ethics, and workplace law;
188 | managing stress and expectations; and developing skills that
189 | enable students to become more resilient and self-motivated.

190 | (t) In order to encourage patriotism, the sacrifices that
191 | veterans and Medal of Honor recipients have made in serving our
192 | country and protecting democratic values worldwide. Such
193 | instruction must occur on or before Medal of Honor Day,
194 | Veterans' Day, and Memorial Day. Members of the instructional
195 | staff are encouraged to use the assistance of local veterans and
196 | Medal of Honor recipients when practicable.

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198 | The State Board of Education is encouraged to adopt standards
199 | and pursue assessment of the requirements of this subsection,
200 | notwithstanding paragraph (g). A character development program

201 that incorporates the values of the recipients of the
202 Congressional Medal of Honor and that is offered as part of a
203 social studies, English Language Arts, or other schoolwide
204 character building and veteran awareness initiative meets the
205 requirements of paragraphs (s) and (t).

206 Section 5. Section 1003.4201, Florida Statutes, is created
207 to read:

208 1003.4201 Holocaust awareness instruction.-

209 (1) The Department of Education shall develop academic
210 content standards for a Holocaust curriculum. The department
211 must, during the process of developing the academic content
212 standards for the curriculum, consult an organization located in
213 this state which has the primary purpose of providing education
214 about the Holocaust. School districts shall provide instruction
215 on the Holocaust based on the standards adopted by the
216 department under this section and in accordance with s. 1003.42.

217 (2) The department shall develop and maintain a roster of
218 individual volunteers who may share their knowledge and
219 experience in classrooms, seminars, and workshops on the subject
220 of the Holocaust. Such volunteers may include survivors of the
221 Holocaust, concentration camp liberators, scholars, clergymen,
222 community relations professionals, and other individuals who, by
223 virtue of their experience or interest, have acquired personal
224 or academic knowledge of the Holocaust.

225 (3) The department shall use public and private funds to

HB 91

2020

226 | provide instructional personnel with background content and
227 | resources to assist them in teaching the Holocaust.

228 | (4) The department shall coordinate with school districts
229 | to appoint a designated Holocaust curriculum coordinator for
230 | each district. A regional coordinator position may be created
231 | for smaller school districts.

232 | (5) The Legislature encourages schools to teach the
233 | Holocaust curriculum during the week of International Holocaust
234 | Remembrance Day.

235 | (6) The State Board of Education shall adopt rules to
236 | implement this section.

237 | Section 6. This act shall take effect July 1, 2020.