

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 352

INTRODUCER: Senator Flores

SUBJECT: American Founders' Month

DATE: March 30, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Favorable
2.	_____	_____	AED	_____
3.	_____	_____	FP	_____

I. Summary:

SB 352 designates the month of September as “American Founders’ Month;” authorizes the governor to issue a proclamation to recognize, observe, and celebrate the month; requires district school boards to celebrate and observe the month; authorizes the integration of instruction into existing school curriculum; and requires the distribution of specified information to school personnel by the superintendent at the beginning of each school year.

The bill takes effect on July 1, 2015.

II. Present Situation:

Required Instruction

Florida law requires each district school board to provide instruction regarding the history, significance, and principles of the Declaration of Independence and the Constitution of the United States, flag education, including proper flag display and flag salute, and the arguments in support of adopting our republican form of government.¹

Patriotic Programs

School boards are authorized to adopt rules that require patriotic programs in district schools which encourage respect for the United States government, the national anthem, and the flag.² The law also specifies procedures for playing of the national anthem and recitation of the pledge of allegiance to the flag in public schools and at school-sponsored functions.³ The pledge must

¹ Section 1003.42(2)(a)-(d), F.S.

² Section 1003.44(1), F.S.

³ *Id.*

be recited at the beginning of the day in each public school in the state.⁴ Students must be excused from reciting the pledge if their parent submits a written request.⁵

District school boards are authorized to allow any teacher or school administrator to read or post specified historical documents (e.g., the national motto, the national anthem, the pledge of allegiance, the Constitution of the United States, and the Constitution of the State of Florida)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.⁶ Such documents may be presented only from a historical perspective and in a nonproselytizing manner.⁷ If an excerpt from a specified historical document is used, such selection must include as much material as is necessary to reflect the sentiment of the entire document.⁸ 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 the law of the land, no material may be selected to advance a particular religious, political, or sectarian purpose.⁹

The Department of Education must distribute a copy of the patriotic programs law to each district school board, and each district superintendent must distribute a copy to all teachers and administrators.¹⁰

Recitation of the Declaration of Independence

Public schools must annually observe Celebrate Freedom Week during the last full week of classes in September.¹¹ Such observance 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.¹² Additionally, public school principals and teachers must conduct an oral recitation by students of the Declaration of Independence at the beginning of the school day or in homeroom to reaffirm the American ideals of individual liberty.¹³ Students must be excused from reciting the Declaration of Independence if their parent submits a written request.¹⁴

III. Effect of Proposed Changes:

SB 352 designates the month of September as “American Founders’ Month” and authorizes the Governor to issue a proclamation urging public and private educational institutions within the state to recognize, observe, and celebrate the month.

The bill requires district school boards to observe “American Founders’ Month” and authorizes instruction on celebrating the American founding fathers and the essential principles in the

⁴ *Id.*

⁵ *Id.*

⁶ Section 1003.44(2), F.S.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ Section 1003.44, F.S.

¹¹ Section 1003.421(1), F.S.

¹² *Id.*

¹³ Section 1003.421, F.S.

¹⁴ Section 1003.421(4), F.S.

founding documents (e.g., the Declaration of Independence, the Constitution of the United States, the Bill of Rights, and the Federalist Papers). Celebrations during this month may be coordinated with Celebrate Freedom Week, which occurs the last full week of September.¹⁵

During “American Founders’ Month” students’ instruction may focus on:

- Leading figures present and instrumental at the country’s founding and in crafting documents;
- Founding fathers moral and civic virtue, self-sacrifice, intellectual genius, and patriotism;
- Importance and principles of the founding documents; and
- Historical and philosophical importance of the Declaration of Independence and its foundation in natural law.

The bill authorizes school boards to integrate instruction provided during “American Founders’ Month” into existing school curriculum by supplementing lesson plans, holding school assemblies, or providing school-related activities.

The bill requires the Department of Education, at the beginning of each school year, to distribute a copy of this law to each district school board, and each district superintendent to distribute a copy to all school administrators¹⁶ and instructional personnel.¹⁷

The bill takes effect on July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

¹⁵ Section 1003.421, F.S.

¹⁶ Administrative personnel includes K-12 personnel who perform management activities such as developing broad policies for the school district and executing those policies through the direction of personnel at all levels within the district. Section 1012.01(3), F.S.

¹⁷ Instructional personnel is any K-12 staff member whose function includes the provision of direct instructional services to students or whose functions provide direct support in the learning process of students. Section 1012.01(2), F.S.

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 1003.44 of the Florida Statutes.

This bill creates section 683.1455 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.