

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 1349 History and Instruction of Political and Socio-economic Systems

SPONSOR(S): Education & Employment Committee, PreK-12 Appropriations Subcommittee, Brannan and others

TIED BILLS: None. **IDEN./SIM. BILLS:** CS/CS/SB 1264

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee	11 Y, 4 N	Collins	Sleep
2) PreK-12 Appropriations Subcommittee	10 Y, 2 N, As CS	Bailey	Potvin
3) Education & Employment Committee	19 Y, 1 N, As CS	Collins	Hassell

SUMMARY ANALYSIS

The bill requires, beginning in the 2026-2027 school year, that the History of Communism be included in required instruction to public school students in an age- and developmentally-appropriate manner and include:

- The history of Communism in the United States and domestic Communist movements, including their histories and tactics.
- Atrocities committed in foreign countries under the guidance of Communism.
- Comparative discussion of political ideologies, such as Communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States.
- The increasing threat of Communism in the United States and our allies through the 20th Century, including the events of the Cultural Revolution in the People's Republic of China and other mass killings from Communist regimes.
- The economic, industrial, and political events that preceded and anticipated Communist revolutions.
- The Communist policies of Cuba and spread of Communist ideologies throughout Latin America, including the roots of the Communist Party of Cuba and guerilla forces throughout Latin America.

The bill requires the Department of Education (DOE) to prepare and offer standards for the instruction and authorizes the DOE to seek input from any individuals who were victims of Communism or any state or nationally recognized organizations dedicated to the victims of Communism. Additionally, the Department of State is required to collaborate with the DOE, and consult with key stakeholders, to provide a recommendation to the Legislature, no later than December 1, 2024, regarding the creation of a museum of the history of Communism.

The bill renames the Adam Smith Center for the Study of Economic Freedom as the Adam Smith Center for Economic Freedom (Center). Additionally, the bill expands the goals of the Center to include educational freedom with the study and effect of government and free market economies. The bill also requires the Center to prepare and host symposiums for civil discussions on democracy and capitalism and to partner with the Institute for Freedom in the Americas to support its mission.

The bill creates the Institute for Freedom in the Americas (Institute) at Miami Dade College to preserve the ideals of a free society and promote democracy in the Americas. The bill requires the Institute to partner with the Center to provide networking opportunities for regional leaders to advance the understanding of democratic values, while also offering educational opportunities in democracy and governance. The bill requires the Institute to be supported by a direct-support organization with a five-member board.

The bill does not appear to have a fiscal impact.

The bill has an effective date of July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Florida Required Instruction

Present Situation

Required Instruction Topics

Florida law requires that public school students in grades K-12 receive instruction on specific subjects including, among other items, historical time periods, comprehensive health education, and government.¹ 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.² Unless otherwise specified, the law generally does not prescribe grade level, instructional hours, or instructional materials requirements for these topics.

School districts are required to report, annually each summer, to the Department of Education (DOE) on how instruction was provided during the previous school year for certain required subjects defined in s. 1003.42, F.S., including the history of the United States, the history of Asian American and Pacific Islanders, the history of African Americans, and the history of the Holocaust.³ The report must include specific courses offered for each grade level and what materials and resources were used.⁴

Guiding Principles for Teaching Required Instruction Topics

In 2022, the Legislature required that instruction on required topics be consistent with the following principles of individual freedom:⁵

- No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.
- No race is inherently superior to another race.
- No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.
- Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.
- A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.
- A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.

The Legislature specified that instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the freedoms of persons have been infringed by sexism, slavery, racial oppression, racial segregation, and racial discrimination. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the above principles.⁶

To enable students to better understand and appreciate the principles of individual freedom, the State Board of Education (SBE) is required to develop a "Stories of Inspiration" curriculum to inspire future generations through motivating stories of American history that demonstrate important life skills and the

¹ Section 1003.42, F.S.

² Section 1003.42(2), F.S.

³ Rule 6A-1.094124, F.A.C.

⁴ *Id.*

⁵ Section 1003.42(3), F.S.

⁶ Section 1003.42(3), F.S. (flush left provisions at the end of the subsection).

principles of individual freedom that enabled persons to prosper even in the most difficult circumstances.⁷

Social Studies Educational Standards

In 2023, the SBE adopted Florida's State Academic Standards for Social Studies.⁸ These current standards incorporate lessons on Communism, including a grade 7 standard requiring students to analyze the advantages of capitalism and the free market in the United States over government-controlled economic systems.

For grades K-6, the DOE has not promulgated standards for the history of Communism. But for grades 7 and 9-12, there are numerous American History standards that include the history of Communism, including, but not limited to:⁹

- identify the factors that led to the decline and fall of Communism in the Soviet Union and Eastern Europe;
- compare the philosophies of Capitalism, Socialism, and Communism as described by Adam Smith, Robert Owen, and Karl Marx;
- Analyze the advantages of Capitalism and the free market in the United States over government-controlled economic systems (e.g., Socialism and Communism) in regard to economic freedom and raising the standard of living for citizens.

Victims of Communism Day

On May 9, 2022, Governor Ron DeSantis signed into law HB 395, creating Victims of Communism Day to annually be observed in public schools on November 7.¹⁰ The law also required, beginning with the 2022-2023 school year, high school students enrolled in the required United States Government class, to receive at least 45 minutes of instruction on "Victims of Communism Day" to include topics such as Mao Zedong and the Cultural Revolution, Joseph Stalin and the Soviet System, Fidel Castro and the Cuban Revolution, Vladimir Lenin and the Russian Revolution, Pol Pot and the Khmer Rouge, and Nicolás Maduro and the Chavismo movement, and how victims suffered under these regimes through poverty, starvation, migration, systemic lethal violence, and suppression of speech.¹¹

Effect of Proposed Changes

The bill requires, beginning in the 2026-2027 school year, that the History of Communism be included in required instruction to public school students. The bill requires such required instruction to be age-and developmentally-appropriate and include:

- The history of Communism in the United States and domestic Communist movements, including their histories and tactics.
- Atrocities committed in foreign countries under the guidance of Communism.
- Comparative discussion of political ideologies, such as Communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States.
- The increasing threat of Communism in the United States and our allies through the 20th Century, including the events of the Cultural Revolution in the People's Republic of China and other mass killings from Communist regimes.

⁷ Section 1003.42(4), F.S.

⁸ See Florida's State Academic Standards, *Social Studies* (2023), available at <https://www.fl DOE.org/core/fileparse.php/20653/ur1t/6-4.pdf>.

⁹ CPALMS, Standards, Social Studies, *American History*, <https://www.cpalms.org/PreviewIdea/Preview/3667> (last visited Jan 25, 2024). See SS.7.CG.3.15, SS.912.CG.3.1, SS.912.CG.4, SS.912.W.6.3, and SS.912.W.8.5. 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.

¹⁰ Ch. 2022-98, Laws of Fla., codified at s. 683.334, F.S.

¹¹ Section 683.334 (3)(a), F.S.

STORAGE NAME: h1349d.EEC

DATE: 2/21/2024

- The economic, industrial, and political events that preceded and anticipated Communist revolutions.
- The Communist policies of Cuba and spread of Communist ideologies throughout Latin America, including the roots of the Communist Party of Cuba and guerilla forces throughout Latin America.

The bill requires the DOE to prepare and offer standards for the instruction and authorizes the DOE to seek input from any individuals who were victims of Communism or any state or nationally recognized organizations dedicated to the victims of Communism.

Further, the bill requires the Department of State, in collaboration with the DOE, to consult with state and national stakeholders to provide a recommendation to the Legislature, no later than December 1, 2024, on the creation of a museum of the history of Communism.

The Adam Smith Center for the Study of Economic Freedom

Present Situation

In 2020, the Florida Legislature created the Adam Smith Center for the Study of Economic Freedom (Center) at Florida International University.¹² The Center's mission is to harnesses the power of rigorous research, excellence in education and mentorship, and effective public outreach to offer a better understanding of the free enterprise system and its impact on individual freedom and human prosperity around the world, with a special emphasis on the United States, Latin America, and the Caribbean.¹³

Working at the intersection of government policy and the free market, the Center is a world-class, independent, non-partisan think tank that aims to inform, influence, and inspire current and future leaders to develop and implement innovative policies to advance economic and individual freedom and human prosperity.¹⁴ The goals of the Center are to:¹⁵

- Study the effect of government and free market economies on individual freedom and human prosperity.
- Conduct and promote research on the effect of political and economic systems on human prosperity.
- Plan and host research workshops and conferences to allow students, scholars, and guests to exchange in civil discussion of democracy and capitalism.
- Provide fellowship and mentoring opportunities to students engaged in scholarly studies of the effect of political and economic systems on human prosperity.

Effect of Proposed Changes

The bill renames the Center as the Adam Smith Center for Economic Freedom. Additionally, the bill expands the goals of the Center to include the study and effect of government and free market economies on educational freedom, and to plan and host symposiums for civil discussions on democracy and capitalism. The bill authorizes the Center to develop curriculum to offer degrees and requires the Center to partner with the Institute for Freedom in the Americas to supports its mission, which includes promoting economic and individual freedoms as a means for advancing human progress with an emphasis on Latin America and the Caribbean.

The bill creates the Institute for Freedom (Institute) in the Americas at Miami Dade College to preserve the ideals of a free society and promote democracy in the Americas. The bill requires the Institute to be located at the Freedom Tower and provides the Institute with the following duties:

¹² Section 7, Ch. 2020-17, L.O.F., *codified* at s. 1004.6991, F.S.

¹³ Florida International University, The Adam Smith Center for Economic Freedom, <https://freedom.fiu.edu/> (last visited Feb. 16, 2024).

¹⁴ *Id.*

¹⁵ Section 1004.64991, F.S.

- Partner with the Center to hold workshops, symposiums, and conferences that provide networking opportunities for leaders throughout the region to gain new insights and ideas for promoting democracy, including knowledge and insight to the intellectual, political and economic freedoms that are foundational to a democratic society.
- Enter into an agreement with the Center to provide participants with academic coursework and programs that advance democratic practices and economic and legal reforms.
- Provide educational and experiential opportunities for regional leaders committed to careers in democracy and governance.

The bill requires Miami Dade College to approve a direct-support organization to support the Institute in its mission to develop partnerships throughout the Americas. The board of the direct-support organization must consist of five members as follows:

- one member appointed by the President of the Senate;
- one member appointed by the Speaker of the House of Representatives; and
- three members appointed by the Governor which must include a representative from Miami Dade College and the Center.

B. SECTION DIRECTORY:

- Section 1:** Amends s. 1003.42, F.S., beginning in a specified school year, requiring students to receive instruction on the history of Communism; providing requirements for such instruction; requiring the Department of Education to prepare and offer standards for such instruction; authorizing the department to seek specified input for such standards; Requiring the Department of Education to prepare and offer standards for such instruction; authorizing the department to seek specified input for such standards;
- Section 2:** Requiring the Department of State, in collaboration with the Department of Education, to provide a recommendation to the Legislature by a specified date relating to the creation of a museum of the history of Communism; providing for the future expiration of such requirements.
- Section 3:** Amends s. 1004.6496, F.S.; conforming provisions to changes made by the act.
- Section 4:** Amends s. 1004.64991, F.S.; renaming the Adam Smith Center for the Study of Economic Freedom; revising the goals of the center.
- Section 5:** Creates s. 1004.89, F.S.; Creating the Institute for Freedom in the Americas at Miami Dade College for specified purposes; providing requirements for the institute; requiring Miami Dade College to approve a direct-support organization for the institute; providing membership requirements for the direct organization.
- Section 6:** Provides an effective date.

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:

The bill does not appear to have a fiscal impact.

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 February 21, 2024, the Employment & Education Committee adopted a Proposed Committee Substitute (PCS) and reported the bill favorably as a committee substitute. The PCS differed from the original bill in the following ways:

- Removed provision from the bill related to the creation of a Communism Education Task Force.
- Requires the Department of Education (DOE) to prepare and offer standards for the instruction of Communism and to seek input from any individuals who were victims of Communism or any state or nationally recognized organizations dedicated to the victims of Communism.
- Requires the Department of State, in collaboration with the DOE, to consult with key stakeholders and provide a recommendation to the Legislature regarding the creation of a museum of the history of Communism.
- Renames the Adam Smith Center for the Study of Economic Freedom as the Adam Smith Center for Economic Freedom (Center) and expands the goals of the Center.
- Creates the Institute for Freedom in the Americas (Institute) at Miami Dade College located at the Freedom Tower.
- Requires the Center to partner with the Institute to support its mission of promoting economic and individual freedoms as a means for advancing human progress with an emphasis on Latin American and the Caribbean.
- Requires the Institute to be supported by a direct-support organization with a five-member board representing key stakeholders.

The analysis is drafted to the committee substitute adopted by the Education & Employment Committee.