

THE FLORIDA SENATE
2017 SUMMARY OF LEGISLATION PASSED
Committee on Education

CS/CS/HB 989 — Instructional Materials

by Education Committee; PreK-12 Quality Subcommittee; and Rep. Donalds and others (CS/CS/SB 1210 by Appropriations Committee; Education Committee; and Senators Lee, Mayfield, Steube, Hutson, Artiles, Bean, and Passidomo)

The bill provides for transparency in the district-level adoption process and more opportunities for a review of materials made available to students. Specifically, the bill:

- Modifies the district school board duties regarding the adoption of instructional materials for use in schools to specify that a district school board is responsible for the content of any material that is made available in a school library, or included on a reading list.
- Defines the terms “resident” to mean a person who has maintained his or her residence in the state for the preceding year, has purchased a home that is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to Florida law.
- Authorizes a county resident, in addition to a parent, to object to the adoption of a specific instructional material.
 - Modifies the current public hearing process at the district level to specify that for all petitions timely received, at least one open public hearing must be conducted before an unbiased and qualified hearing officer who is not an employee or agent of the school district.
- Authorizes a parent or a county resident to object to the use of a specific instructional material and requires the process provide the parent or resident the opportunity to proffer evidence to the district school board that such material does not meet the state criteria or contains prohibited content, or is otherwise inappropriate or unsuitable for the grade level and age group for which the material is used.
 - Requires a district school board to discontinue the use of a material that the board finds inappropriate or unsuitable.
- Requires a school district, upon written request, to provide access to any material or book specified in the request that is maintained in a district school system library and is available for review.
- Requires each district school board to maintain on its website a current list of instructional materials, by grade level, purchased by the district.
 - Defines “purchase” to include purchase, lease, license, or acquire.
- Specifies that, except for a school district or consortium of school districts that implements an instructional materials program, each district school board must use the annual instructional materials allocation only for the purchase of materials that align with state standards and are included on the state-adopted list, except as otherwise authorized.
 - Eliminates the current requirement that at least 50 percent of the annual instructional materials allocation be used to purchase digital or electronic instructional materials.

If approved by the Governor, these provisions take effect July 1, 2017.

Vote: Senate 19-17; House 94-25