

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

BILL: SB 96

INTRODUCER: Senators Steube and Book

SUBJECT: Human Trafficking Education in Schools

DATE: December 1, 2017 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------------|----------------|-----------|------------------|
| 1. | <u>Hendon</u> | <u>Hendon</u> | <u>CF</u> | Favorable |
| 2. | <u>Bouck</u> | <u>Graf</u> | <u>ED</u> | Favorable |
| 3. | _____ | _____ | <u>AP</u> | _____ |
| 4. | _____ | _____ | <u>RC</u> | _____ |

I. Summary:

SB 96 adds information on the dangers and signs of human trafficking to the required instruction for middle grades and high school students in the state’s public school system.

The bill has an effective date of July 1, 2018, and would have a minimal fiscal impact.

II. Present Situation:

Human Trafficking

Children can be victims of human trafficking in two forms; commercial sexual exploitation and labor exploitation. In Florida, human trafficking is reported to the Florida Abuse Hotline. Toll free national numbers to report human trafficking of children in Florida are relayed to the abuse hotline. Sex trafficking is defined as a commercial sex act induced by force, fraud or coercion or in which the person induced to perform such act is under 18.¹ Commercial sex acts include, but are not limited to prostitution and/or pornography as a means for the perpetrator to make money. The mere fact the victim is a child and the act meets the definition of a commercial sex act, makes the child a victim. Calls to the abuse hotline are investigated by the Department of Children and Families (department) or in certain counties, by the sheriff office.

In 2012 and 2014, the Legislature passed major legislation regarding the treatment of children who are victims of sex trafficking.² The new policy treated these children as victims rather than prosecuting them for prostitution.

¹ Department of Children and Families webpage. <http://www.myflfamilies.com/service-programs/human-trafficking/what-is-human-trafficking>. Last visited Feb. 27, 2017.

² Chapters 2012-105 and 2014-161, Laws of Florida.

After a call is made to the hotline, the department or certain sheriff's office in counties where the sheriff conducts child abuse investigations, an investigation is made. If commercial sexual trafficking is suspected or verified, the department or sheriff's office conducts a multidisciplinary staffing on each case.³ The staffing includes local experts in child protection, child welfare, medical professionals, and law enforcement to assess the needs of the child and determine if the victim needs placement in a residential home, or "safe house" pursuant to s. 39.524, F.S. Multidisciplinary staffing teams are also charged with assessing the local services available to victims of commercial sexual exploitation.⁴

Chapter 2014-161, Laws of Florida, requires the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an annual study on commercial sexual exploitation of children. The most recent report found that in calendar year 2016, there were 2,013 reports alleging the commercial sexual exploitation of children to the Florida Abuse Hotline, which is a 57 percent increase over the 2015 reports.⁵ Of those, 356 were verified commercially sexually exploited child victims, more than the 264 identified in 2015.⁶ Of the verified cases, 134 were dependent children in the state's foster care while 222 were not dependent.⁷

In 2017, the Governor signed SB 852 (Ch. 2017-23, L.O.F.) to clarify the definition of commercial sexual exploitation and to expand the duties of the Department of Children and Families for child victims of human trafficking that are not in the state's dependency system. The department, or in certain counties, the sheriff's office, must conduct a multi-disciplinary meeting on each case and provide the family of the victims with a service plan to assist the victim recover from the trauma of human trafficking. For those victims that are dependent children, the dependency case plan must be updated to require services to meet the needs of the dependent child. In addition, the bill added human trafficking to the definition of a "dangerous crime," so that persons accused of human trafficking would be detained before trial.

The Florida Department of Education has provided training and resources for all school personnel via webinars, professional development events, and in-person trainings on the issue of sex trafficking.⁸ In addition, to address the task of training students on the issue of human trafficking, Brevard, Broward, Miami-Dade, Duval, Hillsborough, Orange, Palm Beach, and Pinellas county school districts are developing and piloting human trafficking education lessons to be integrated in health education during the 2017-18 school year.⁹

³ Section 409.1754(2), F.S.

⁴ *Id.*

⁵ Office of Program Policy Analysis and Government Accountability, *DCF and Its Lead Agencies Have Not Resolved Issues Related to Serving Commercially Sexually Exploited Children* (Report No. 17-09), June 2017, available at <http://www.oppaga.state.fl.us/Summary.aspx?reportNum=17-09>, at 3.

⁶ *Id.*

⁷ *Id.* at 4.

⁸ Statewide Council on Human Trafficking *Annual Report 2017* (Oct. 31, 2017), available at [http://myfloridalegal.com/webfiles.nsf/WF/RMAS-ASNNE9/\\$file/HTAnnualReport2017.pdf](http://myfloridalegal.com/webfiles.nsf/WF/RMAS-ASNNE9/$file/HTAnnualReport2017.pdf), at 19.

⁹ *Id.* at 20.

Educational Requirements

Florida law specifies required coursework and instruction for public school students. Specifically, 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 State Board of Education 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.¹⁰

Instructional staff of public schools, subject to the rules of the State Board of Education and the district school board, must provide instruction in specified areas such as:¹¹

- The history and content of the Declaration of Independence.
- The history, meaning, significance, and effect of the provisions of the Constitution of the United States.
- The arguments in support of adopting our republican form of government.
- The elements of civil government.
- The history of the Holocaust.
- The history of African Americans.
- The elementary principles of agriculture.
- Kindness to animals.
- The history of the state.
- Comprehensive health education.
- A character-development program in kindergarten through grade 12.

The law encourages the State Board of Education to adopt standards and pursue assessment relating to the required instructional content.¹²

III. Effect of Proposed Changes:

Section 1 amends s. 1003.42, F.S., regarding required instruction in the public school system. The revisions add information on the dangers and signs of human trafficking to the required instruction for comprehensive health education. This new requirement must include, but is not limited to, information on the warning signs of human trafficking, terms used by traffickers, red flags that would indicate a trafficker's malicious intent toward a student, websites that are popular with traffickers, and details on how a student may get help. Required instruction in the dangers and signs of human trafficking may result in increased awareness within the public school system about human trafficking and how students may receive help.

The bill authorizes a student to opt out of the human trafficking portion of health education instruction by providing the school with a written note from his or her parent.

¹⁰ Section 1003.42(1), F.S.

¹¹ Section 1003.42(2), F.S.

¹² *Id.* Comprehensive health education currently addresses 12 concepts or component areas; 11 are delivered to K-12 students, while teen dating violence is delivered in grades 7-12 only. Florida Department of Education, *2018 Agency Bill Analysis for SB 96* (Aug. 29, 2017), at 2.

Section 2 provides an effective date of July 1, 2018.

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.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the Florida Department of Education, the fiscal impact of the bill would be minimal for preparing training materials related to human trafficking education for teachers.¹³

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.42 of the Florida Statutes.

¹³ Florida Department of Education, *2018 Agency Bill Analysis for SB 96* (Aug. 29, 2017), at 3.

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
