

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 Military and Veterans Affairs and Space

BILL: SB 292

INTRODUCER: Senator Lee

SUBJECT: Education

DATE: March 5, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Caldwell</u>	<u>MS</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>ED</u>	_____
3.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 292 protects the ability of a student who attends a public pre-K-12 educational institution to wear a military uniform to his or her graduation ceremony. Specifically, the bill prohibits a district school board from barring a student from lawfully wearing to his or her graduation ceremony a uniform of the military or naval service of the state or of the United States.

II. Present Situation:

School districts may require a student to wear a cap and gown to his or her graduation ceremony. In 2018, Hillsborough County school personnel required a graduating student to wear to her graduation ceremony a cap and gown rather than her military uniform. The student had been enrolled in the Army Reserves since her junior year. Although the school did not prohibit the student from wearing her uniform under the cap and gown, an Army regulation did.¹

Of the other branches of the military, only the Navy permits the wearing of a uniform with academic regalia at an academic ceremony.²

¹ Army Uniform Regulation 670-1. (3-7.e.), provides: "Wearing a combination of civilian and military clothing is prohibited, unless prescribed in this regulation or directed by the Secretary of the Army." Available at: <https://www.army.mil/e2/c/downloads/337951.pdf> (last visited Feb. 27, 2019).

² Navy Uniform Regulation Section 2. 7204, provides, in part: "Naval personnel may wear academic regalia with the naval uniform on occasions of academic ceremony." Available at: <https://www.public.navy.mil/BUPERS-NPC/SUPPORT/UNIFORMS/UNIFORMREGULATIONS/Pages/default.aspx> (last visited Feb. 27, 2019). Marine Uniform Regulation 1020.34H, provides, "No part of a prescribed uniform, except those items not exclusively military in character, will be worn with civilian clothing." Available at: <https://www.marines.mil/Portals/59/Publications/MCO%201020.34H%20v2.pdf?ver=2018-06-26-094038-137> (last visited Feb. 27, 2019). Air Force Uniform Regulation AFI 36-2903 (1.4), generally prohibits the combination of uniform and civilian attire except in very limited circumstances, such as when authorizing personnel to wear military tie tacks and lapel pins with business attire. Available at: https://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2903/afi36-2903.pdf (last visited Feb. 27, 2019).

III. Effect of Proposed Changes:

This bill protects the ability of a student attending a public K-12 educational institution to wear a military uniform to his or her graduation ceremony.

Specifically, the bill prohibits a district school board from barring a student from lawfully wearing to his or her graduation ceremony a military or naval service uniform of the state or of the United States.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. **Government Sector Impact:**

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Language in the bill provides: “A district school board may not prohibit a student from lawfully wearing the uniform of any branch of the military or naval service of the United States or of the state at his or her graduation ceremony.” As the Navy is a branch of the military, an amendment to clarify application to any of the Armed Forces is recommended.

VIII. Statutes Affected:

This bill substantially amends section 1001.43, 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.