

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 519 Required Health Education Instruction

**SPONSOR(S):** Secondary Education & Career Development Subcommittee, Yarborough

**TIED BILLS:** None **IDEN./SIM. BILLS:** SB 1094

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Secondary Education & Career Development Subcommittee	16 Y, 0 N, As CS	Wolff	Sanchez
2) Early Learning & Elementary Education Subcommittee	15 Y, 0 N	Wolff	Brink
3) Education & Employment Committee	21 Y, 0 N	Wolff	Hassell

### SUMMARY ANALYSIS

The bill revises the required comprehensive health education curriculum for K-12 public schools to include instruction on the prevention of child sexual abuse, exploitation, and human trafficking. The bill clarifies that the comprehensive health curriculum must be age and developmentally appropriate.

The bill limits the existing requirement to provide instruction to all students on abstinence and the consequences of teen pregnancy so that it is only provided to students in grades 6 through 12.

The bill may have an indeterminate fiscal impact to school districts. See Fiscal Comments.

The bill provides an effective date of July 1, 2021.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Present Situation**

Health education is included in the instruction required for K-12 education to ensure that students meet Florida State Board of Education (SBE) adopted standards.<sup>1</sup> Comprehensive health education addresses concepts of community health; consumer health; environmental health; family life, including an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy; mental and emotional health; injury prevention and safety; internet safety; nutrition; personal health; prevention and control of disease; and substance use and abuse.<sup>2</sup>

#### *Human Trafficking*

Information on human trafficking is not currently included in required comprehensive health education instruction.<sup>3</sup> Additionally, the SBE-adopted standards do not include instruction on human trafficking, and there is no instructional model currently available in CPALMS.<sup>4</sup>

In 2019, the SBE adopted a rule requiring child trafficking prevention education.<sup>5</sup> The rule requires that school districts annually instruct students, using age-appropriate elements of effective and evidence-based programs, on child trafficking prevention and awareness.<sup>6</sup> As required by the new rule, the Florida Department of Education (DOE) maintains resources and training for the required instruction on child trafficking prevention and awareness.<sup>7</sup>

#### *Child Abuse*

Florida law defines child abuse as any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired.<sup>8</sup> School teachers and other school personnel are required by law to report known or suspected child abuse.<sup>9</sup>

Child abuse awareness is not included in required comprehensive health education instruction.<sup>10</sup> The DOE provides child abuse prevention training materials and resources on its website.<sup>11</sup> Teachers in grades K-12 are required to participate in continuing education provided by the Florida Department of Children and Families on identifying and reporting child abuse and neglect.<sup>12</sup>

#### **Effect of Proposed Changes**

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<sup>1</sup> Section 1003.42(1), F.S.

<sup>2</sup> Section 1003.42(2)(n), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> CPALMS, *About CPALMS*, [http://www.cpalms.org/CPALMS/about\\_us.aspx](http://www.cpalms.org/CPALMS/about_us.aspx), (last visited March 24, 2021). 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 instructional/educational resources that have been developed specifically for the standards and vetted through a quality review process.

<sup>5</sup> Rule 6A-1.094124(5), F.A.C.

<sup>6</sup> *Id.*

<sup>7</sup> Florida Department of Education, *Human Trafficking*, <http://www.fldoe.org/schools/healthy-schools/human-trafficking.stml> (last visited March 24, 2021).

<sup>8</sup> Section 39.01(2), F.S.

<sup>9</sup> Section 39.201(1), F.S.

<sup>10</sup> Section 1003.42(2)(n), F.S.

<sup>11</sup> Florida Department of Education, *Child Abuse Prevention*, <http://www.fldoe.org/schools/family-community/activities-programs/child-abuse-prevention.stml> (last visited March 24, 2021).

<sup>12</sup> Section 1012.98(12), F.S.

The bill requires that the general health education curriculum for K-12 public schools be age and developmentally appropriate and that it include information on the prevention of child sexual abuse, exploitation, and human trafficking.

The bill limits the existing requirement to provide instruction to all students on abstinence and the consequences of teen pregnancy so that it is only provided to students in grades 6 through 12.

**B. SECTION DIRECTORY:**

**Section 1.** Amends s. 1003.42, F.S., providing additional requirements for health education; revising the grades when students receive certain health education instruction; requiring health education instruction include prevention of specified harms.

**Section 2.** Amends s. 1006.148, F.S., conforming a cross-reference.

**Section 3.** Provides an effective date of July 1, 2021.

**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:**

For those school districts that do not already provide child abuse awareness instruction, there may be a cost associated with including this instruction in the required health education curriculum. The cost is indeterminate.

**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 March 10, 2021, the Secondary Education & Career Development Subcommittee adopted two amendments and reported the bill favorably as a committee substitute. The amendments:

- Provide that the health education curriculum be age-appropriate and developmentally appropriate.
- Require that the health education curriculum for grades 6 through 12 include an awareness of the benefits of sexual abstinence and the consequences of teen pregnancy.

The bill analysis is drafted to the committee substitute adopted by the Secondary Education & Career Development Subcommittee.