



267706

LEGISLATIVE ACTION

Senate

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House

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Senator Polsky moved the following:

**Senate Amendment (with title amendment)**

Delete lines 264 - 336  
and insert:  
an objection by a parent ~~or a resident of the county~~ to the use  
of a specific material, which clearly describes a process to  
handle all objections and provides for resolution. The objection  
form, as prescribed by State Board of Education rule, and the  
district school board's process must be easy to read and  
understand and be easily accessible on the homepage of the  
school district's website. The process must provide the parent



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~~or resident~~ the opportunity to proffer evidence to the district school board that:

a. An instructional material does not meet the criteria of s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the school district but was not subject to the public notice, review, comment, and hearing procedures under s. 1006.283(2)(b) 8., 9., and 11.

b. Any material used in a classroom, made available in a school or classroom library, or included on a reading list contains content that:

(I) Is pornographic or prohibited under s. 847.012;

(II) Depicts or describes sexual conduct as defined in s. 847.001, unless such material is for a course required by s. 1003.46 or s. 1003.42(2)(n) 1.g. or identified by State Board of Education rule;

(III) Is not suited to student needs and their ability to comprehend the material presented; or

(IV) Is inappropriate for the grade level and age group for which the material is used.

Any material that is subject to an objection on the basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must be made unavailable to students until the objection is resolved. Parents have the right to read aloud at public meetings passages from material that is subject to an objection. If the district school board finds that an instructional material does not meet the criteria under sub-subparagraph a. or that any other material contains prohibited content under sub-subparagraph b.,



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the school district shall discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.

3. Each district school board must establish a process by which the parent of a public school student ~~or a resident of the county~~ may contest the district school board's adoption of a specific instructional material. The parent ~~or resident~~ must file a petition, on a form provided by the school board, within 30 calendar days after the adoption of the instructional material by the school board. The school board must make the form available to the public and publish the form on the school district's website. The form must be signed by the parent ~~or resident~~, include the required contact information, and state the objection to the instructional material based on the criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days after the 30-day period has expired, the school board must, for all petitions timely received, conduct at least one open public hearing before an unbiased and qualified hearing officer. The hearing officer may not be an employee or agent of the school district. The hearing is not subject to the provisions of chapter 120; however, the hearing must provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer. The school board's decision after convening a hearing is final and not subject to further petition or review.

4. Meetings of committees convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the district school board must be noticed and open to the public in accordance with s. 286.011. Any committees



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convened for such purposes must include parents of ~~district~~  
students who will have access to such materials.

5. Meetings of committees convened for the purpose of  
resolving an objection by a parent to specific materials must be  
noticed and open to the public in accordance with s. 286.011.  
Any committees convened for such purpose must include parents of  
students who will have access to such materials.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete lines 38 - 41

and insert:

website homepages; revising who may bring an  
objection; expanding the criteria for materials used  
in the classroom, available in the school library, or  
included on a reading list under which a parent may  
bring an objection;