

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Bartleman offered the following:

**Amendment to Amendment (155292) (with title amendment)**

Remove lines 671-753 of the amendment and insert:

an objection by a parent of a student enrolled in a school within the school district ~~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 objection form must also identify the school district point of contact and contact information for

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14 the submission of an objection. The process must provide the  
15 parent of a student enrolled in a school within the school  
16 district ~~or resident~~ the opportunity to proffer evidence to the  
17 district school board that:

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

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

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

28 (II) Depicts or describes sexual conduct as defined in s.  
29 847.001(19), unless such material is for a course required by s.  
30 1003.46, s. 1003.42(2)(n) 1.g., or s. 1003.42(2)(n) 3., or  
31 identified by State Board of Education rule;

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

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

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37 Any material that is subject to an objection on the basis of  
38 sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must

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39 be removed within 5 school days ~~of~~ after receipt of the  
40 objection and remain unavailable to students of that school  
41 until the objection is resolved. Parents shall have the right to  
42 read passages from any material that is subject to an objection.  
43 If the school board denies a parent the right to read passages  
44 due to content that meets the requirements under sub-sub-  
45 subparagraph b.(I), the school district shall discontinue the  
46 use of the material in the school district. If the district  
47 school board finds that any material meets the requirements  
48 under sub-subparagraph a. or that any other material contains  
49 prohibited content under sub-sub-subparagraph b.(I), the school  
50 district shall discontinue use of the material. If the district  
51 school board finds that any other material contains prohibited  
52 content under sub-sub-subparagraphs b.(II)-(IV), the school  
53 district shall discontinue use of the material for any grade  
54 level or age group for which such use is inappropriate or  
55 unsuitable.

56 3. Each district school board must establish a process by  
57 which the parent of a public school student or a resident of the  
58 county may contest the district school board's adoption of a  
59 specific instructional material. The parent or resident must  
60 file a petition, on a form provided by the school board, within  
61 30 calendar days after the adoption of the instructional  
62 material by the school board. The school board must make the  
63 form available to the public and publish the form on the school

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64 district's website. The form must be signed by the parent or  
65 resident, include the required contact information, and state  
66 the objection to the instructional material based on the  
67 criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days  
68 after the 30-day period has expired, the school board must, for  
69 all petitions timely received, conduct at least one open public  
70 hearing before an unbiased and qualified hearing officer. The  
71 hearing officer may not be an employee or agent of the school  
72 district. The hearing is not subject to the provisions of  
73 chapter 120; however, the hearing must provide sufficient  
74 procedural protections to allow each petitioner an adequate and  
75 fair opportunity to be heard and present evidence to the hearing  
76 officer. The school board's decision after convening a hearing  
77 is final and not subject to further petition or review.

78 4. Meetings of committees convened for the purpose of  
79 ranking, eliminating, or selecting instructional materials for  
80 recommendation to the district school board must be noticed and  
81 open to the public in accordance with s. 286.011. Any committees  
82 convened for such purposes must include parents of students who  
83 will have access to such materials.

84 5. Meetings of committees convened for the purpose of  
85 resolving an objection by a parent ~~or resident~~ to specific  
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**T I T L E   A M E N D M E N T**

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Remove lines 1362-1364 of the amendment and insert:  
providing that only parents of certain students may  
object to school district instructional materials;  
amending s. 1006.38, F.S.; requiring