

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1349 Required Instruction in History of Communism

SPONSOR(S): PreK-12 Appropriations Subcommittee, Brannan and others

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 1264

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee	11 Y, 4 N	Collins	Sleap
2) PreK-12 Appropriations Subcommittee	10 Y, 2 N, As CS	Bailey	Potvin
3) Education & Employment Committee			

SUMMARY ANALYSIS

The bill requires, beginning in the 2026-2027 school year, that the History of Communism be included in required instruction to public school students in grades K-12. The bill requires such instruction to be age- and developmentally-appropriate and include:

- The history of Communism in the United States and domestic Communist movements, including their histories and tactics.
- Atrocities committed in foreign countries under the guidance of Communism.
- The philosophy and lineages of Communist thought.
- The increasing threat of Communism in the 20th century to the United States and our allies, including the events of the Cultural Revolution in the People's Republic of China and other mass killings from Communist regimes.
- The economic, industrial, and political events that preceded and anticipated Communist revolutions.
- The Communist policies of Cuba and spread of Communist ideologies throughout Latin America, including the roots of the Communist Party of Cuba and guerilla forces throughout Latin America.

The bill requires each school district to annually certify and provide evidence to the Department of Education (DOE) that the required instruction has been met.

The bill also creates the Communism Education Task Force (task force) adjunct to the DOE. The task force is established to create a curriculum and academic standards for required instruction in the History of Communism and provide recommendations and instructional materials for such instruction.

The task force members are to be appointed by the Governor, by August 1, 2024, and report its findings to the Governor, Legislature, and the DOE no later than July 1, 2025. The task force must also make recommendations to the Legislature regarding the creation of a Florida Museum of Communist History.

The bill requires the DOE to prepare and offer standards and curriculum for the instruction of Communism based upon the recommendations of the task force.

The bill may have a fiscal impact to the DOE. See Fiscal Comments.

The bill has an effective date of July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Required Instruction Topics

Florida law requires that public school students in grades K-12 receive instruction on specific subjects including, among other items, historical time periods, comprehensive health education, and government.¹ Instructional personnel are required to teach these subjects efficiently and faithfully, using historically accurate books and materials, following prescribed courses and approved methods of instruction.² Unless otherwise specified, the law generally does not prescribe grade level, instructional hours, or instructional materials requirements for these topics.

School districts are required to report, annually each summer, to the Department of Education (DOE) on how instruction was provided during the previous school year for certain required subjects defined in s. 1003.42, F.S., including the history of the United States, the history of Asian American and Pacific Islanders, the history of African Americans, and the history of the Holocaust.³ The report must include specific courses offered for each grade level and what materials and resources were used.⁴

Guiding Principles for Teaching Required Instruction Topics

In 2022, the Legislature required that instruction on required topics be consistent with the following principles of individual freedom:⁵

- No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.
- No race is inherently superior to another race.
- No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.
- Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.
- A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.
- A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.

The Legislature specified that instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the freedoms of persons have been infringed by sexism, slavery, racial oppression, racial segregation, and racial discrimination. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the above principles.⁶

To enable students to better understand and appreciate the principles of individual freedom, the State Board of Education (SBE) is required to develop a “Stories of Inspiration” curriculum to inspire future generations through motivating stories of American history that demonstrate important life skills and the

¹ Section 1003.42, F.S.

² Section 1003.42(2), F.S.

³ Rule 6A-1.094124, F.A.C.

⁴ *Id.*

⁵ Section 1003.42(3), F.S.

⁶ Section 1003.42(3), F.S. (flush left provisions at the end of the subsection).

principles of individual freedom that enabled persons to prosper even in the most difficult circumstances.⁷

Social Studies Educational Standards

In 2023, the SBE adopted Florida's State Academic Standards for Social Studies.⁸ These current standards incorporate lessons on Communism, including a grade 7 standard requiring students to analyze the advantages of capitalism and the free market in the United States over government-controlled economic systems.

For grades K-6, the DOE has not promulgated standards for the history of Communism. But for grades 7 and 9-12, there are numerous American History standards that include the history of Communism, including, but not limited to:⁹

- identify the factors that led to the decline and fall of Communism in the Soviet Union and Eastern Europe;
- compare the philosophies of Capitalism, Socialism, and Communism as described by Adam Smith, Robert Owen, and Karl Marx;
- Analyze the advantages of Capitalism and the free market in the United States over government-controlled economic systems (e.g., Socialism and Communism) in regard to economic freedom and raising the standard of living for citizens.

Victims of Communism Day

On May 9, 2022, Governor Ron DeSantis signed into law HB 395, creating Victims of Communism Day to annually be observed in public schools on November 7.¹⁰ The law also required, beginning with the 2022-2023 school year, high school students enrolled in the required United States Government class, to receive at least 45 minutes of instruction on "Victims of Communism Day" to include topics such as Mao Zedong and the Cultural Revolution, Joseph Stalin and the Soviet System, Fidel Castro and the Cuban Revolution, Vladimir Lenin and the Russian Revolution, Pol Pot and the Khmer Rouge, and Nicolás Maduro and the Chavismo movement, and how victims suffered under these regimes through poverty, starvation, migration, systemic lethal violence, and suppression of speech.¹¹

Effect of Proposed Changes

The bill requires, beginning in the 2026-2027 school year, that the History of Communism be included in required instruction to public school students in grades K-12. The bill requires such required instruction to be age- and developmentally-appropriate and include:

- The history of Communism in the United States and domestic Communist movements, including their histories and tactics.
- Atrocities committed in foreign countries under the guidance of Communism.
- The philosophy and lineages of Communist thought.
- The increasing threat of Communism in the 20th century to the United States and our allies, including the events of the Cultural Revolution in the People's Republic of China and other mass killings from Communist regimes.
- The economic, industrial, and political events that preceded and anticipated Communist revolutions.
- The Communist policies of Cuba and spread of Communist ideologies throughout Latin America, including the roots of the Communist Party of Cuba and guerilla forces throughout Latin America.

⁷ Section 1003.42(4), F.S.

⁸ See Florida's State Academic Standards, *Social Studies* (2023), available at <https://www.fldoe.org/core/fileparse.php/20653/urlt/6-4.pdf>.

⁹ CPALMS, Standards, Social Studies, *American History*, <https://www.cpalms.org/PreviewIdea/Preview/3667> (last visited Jan 25, 2024). See SS.7.CG.3.15, SS.9.12.CG.3.1, SS.9.12.CG.4, SS.9.12.W.6.3, and SS.9.12.W.8.5 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 high-quality instructional/educational resources that have been developed specifically for the standards and vetted through a rigorous review process.

¹⁰ Ch. 2022-98, Laws of Fla., codified at s. 683.334, F.S.

¹¹ Section 683.334 (3)(a), F.S.

The bill requires each school district to annually certify and provide evidence to the DOE that required instruction has been met.

Further, the bill creates the Communism Education Task Force (task force) adjunct to the DOE. The task force is established to create a curriculum and academic standards for required instruction in the History of Communism and provide recommendations and instructional materials for such instruction. The task force must also recommend partnerships with other organizations for such instruction.

The task force members are to be appointed by the Governor, by August 1, 2024, and report its findings to the Governor, Legislature, and the DOE no later than July 1, 2025. The task force must also make recommendations to the Legislature regarding the creation of a Florida Museum of Communist History.

The bill requires the DOE to prepare and offer standards and curriculum for the instruction of Communism based upon the recommendations of the task force.

B. SECTION DIRECTORY:

Section 1: Amends s. 1003.42, F.S., beginning in a specified school year, requiring students to receive instruction on the history of Communism; providing requirements for each instruction; requiring school districts to annually certify and provide evidence to the DOE that certain requirements are met; requiring the DOE to prepare and offer standards and curriculum for such instruction; providing requirements for the standards and curriculum;

Section 2: Creates the Communism Education Task force adjunct to the DOE; providing the purpose of task force; providing for membership of the task force; providing duties of the task force; requiring the task force to submit a report to the Governor, Legislature, and department by a specified date; providing for the future expiration of the task force.

Section 3: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The DOE may incur costs associated with supporting the Communism Education Task Force and preparing curriculum and academic standards for the required History of Communism instruction. The workload associated with these responsibilities can be absorbed within existing DOE resources.

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 February 13, 2024, the PreK-12 Appropriations Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment changes the required components of the History of Communism instruction by deleting the inclusion of cultural Marxism in the philosophy and lineages of Communist thought.

The analysis is drafted to the committee substitute as approved by the PreK-12 Appropriations Subcommittee.