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Proposed Legislation

West's Florida Statutes Annotated
Title XLVIII. Early Learning-20 Education Code (Chapters 1000-1013)
Chapter 1003. Public K-12 Education (Refs & Annos)
Part IV. Public K-12 Educational Instruction

West's F.S.A. § 1003.42

1003.42. Required instruction

Effective: July 1, 2024
Currentness

(1)(a) Each district school board shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts. The state board must remove a middle grades course in the Course Code Directory that does not fully integrate all appropriate curricular content required by s. 1003.41 and may approve a new course only if it meets the required curricular content.

(b) All materials used to teach reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment, as part of the courses referenced in subsection (5), must be approved by the department.

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty, and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

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(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g) 1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of antisemitism, as described in s. 1000.05(8), and the prevention of antisemitism. Each school district must annually certify and provide evidence to the department, in a manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organizations. The department may contract with any state or nationally recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

2. The second week in November shall be designated as “Holocaust Education Week” in this state in recognition that November is the anniversary of Kristallnacht, widely recognized as a precipitating event that led to the Holocaust.

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the history and contributions of Americans of the African diaspora to society. Students shall develop an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms, and examine what it means to be a responsible and respectful person, for the purpose of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions. Instruction shall include the roles and contributions of individuals from all walks of life and their endeavors to learn and thrive throughout history as artists, scientists, educators, businesspeople, influential thinkers, members of the faith community, and political and governmental leaders and the courageous steps they took to fulfill the promise of democracy and unite the nation. Instructional materials shall include the vital contributions of African Americans to build and strengthen American society and celebrate the inspirational stories of African Americans who prospered, even in the most difficult circumstances. Instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the individual freedoms of persons have been infringed by slavery, racial oppression, racial segregation, and racial discrimination, as well as topics relating to the enactment and enforcement of laws resulting in racial oppression, racial segregation, and racial discrimination and how recognition of these freedoms has overturned these unjust laws. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles enumerated in subsection (3) or the state academic standards. Each school district must annually certify and provide evidence to the department,

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in a manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's African American History Task Force or from any state or nationally recognized African-American educational organizations. The department may contract with any state or nationally recognized African-American educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

(i) The history of Asian Americans and Pacific Islanders, including the history of Japanese internment camps and the incarceration of Japanese-Americans during World War II; the immigration, citizenship, civil rights, identity, and culture of Asian Americans and Pacific Islanders; and the contributions of Asian Americans and Pacific Islanders to American society. Instructional materials shall include the contributions of Asian Americans and Pacific Islanders to American society.

(j) The elementary principles of agriculture.

(k) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.

(*l*) Kindness to animals.

(m) The history of the state.

(n) The conservation of natural resources.

(*o*) Comprehensive age-appropriate and developmentally appropriate K-12 instruction on:

1. Health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

a. Injury prevention and safety.

b. Internet safety.

c. Nutrition.

d. Personal health.

e. Prevention and control of disease.

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f. Substance use and abuse.

g. Prevention of child sexual abuse, exploitation, and human trafficking.

2. For students in grades 7 through 12, teen dating violence and abuse. This component must include, but not be limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

3. For students in grades 6 through 12, awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

4. Life skills that build confidence, support mental and emotional health, and enable students to overcome challenges, including:

a. Self-awareness and self-management.

b. Responsible decisionmaking.

c. Resiliency.

d. Relationship skills and conflict resolution.

e. Understanding and respecting other viewpoints and backgrounds.

f. For grades 9 through 12, developing leadership skills, interpersonal skills, organization skills, and research skills; creating a résumé, including a digital résumé; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; workplace ethics and workplace law; managing stress and expectations; and self-motivation.

5. a. For students in grades 6 through 12, the social, emotional, and physical effects of social media. This component must include, but need not be limited to, the negative effects of social media on mental health, including addiction; the distribution of misinformation on social media; how social media manipulates behavior; the permanency of sharing materials online; how to maintain personal security and identify cyberbullying, predatory behavior, and human trafficking on the Internet; and how to report suspicious behavior encountered on the Internet.

b. The Department of Education shall make available online the instructional material being used pursuant to this subparagraph, and each district school board shall notify parents of its availability.

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Health education and life skills instruction and materials may not contradict the principles enumerated in subsection (3).

(p) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(q) The study of Hispanic contributions to the United States.

(r) The study of women's contributions to the United States.

(s) The nature and importance of free enterprise to the United States economy.

(t) Civic and character education on the qualities and responsibilities of patriotism and citizenship, including kindness; respect for authority, life, liberty, and personal property; honesty; charity; racial, ethnic, and religious tolerance; and cooperation and, for grades 11 and 12, voting using the uniform primary and general election ballot described in s. 101.151(9).

(u) 1. In order to encourage patriotism, the sacrifices that Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

2. The history and importance of Veterans' Day and Memorial Day. Such instruction may include two 45-minute lessons that occur on or before the respective holidays.

(v) 1. Beginning in the 2026-2027 school year, the history of communism. Such instruction must be age appropriate and developmentally appropriate and include:

a. The history of communism in the United States and domestic communist movements, including their histories and tactics.

b. Atrocities committed in foreign countries under the guidance of communism.

c. Comparative discussion of political ideologies, such as communism and totalitarianism, which conflict with the principles of freedom and democracy essential to the founding principles of the United States.

d. The increasing threat of communism in the United States and to our allies through the 20th century, including the events of the Cultural Revolution in the People's Republic of China and other mass killings from communist regimes.

e. The economic, industrial, and political events that have preceded and anticipated communist revolutions.

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f. The communist policies of Cuba and the spread of communist ideologies throughout Latin America, including the roots of the Communist Party of Cuba and guerrilla forces throughout Latin America.

2. The department shall prepare and offer standards for the instruction required by this paragraph and may seek input from any individual who was a victim of communism or any state or nationally recognized organization dedicated to the victims of communism.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (u).

(3) The Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. Accordingly, instruction and supporting materials on the topics enumerated in this section must be consistent with the following principles of individual freedom:

(a) No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.

(b) No race is inherently superior to another race.

(c) 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.

(d) 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.

(e) 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.

(f) 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.

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, including topics relating to the enactment and enforcement of laws resulting in sexism, racial oppression, racial segregation, and racial discrimination, including how recognition of these freedoms have overturned these unjust laws. However, classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles of this subsection or state academic standards.

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(4) The State Board of Education shall develop or adopt a curriculum to inspire future generations through motivating stories of American history that demonstrate important life skills and the principles of individual freedom that enabled persons to prosper even in the most difficult circumstances. This curriculum shall be known as "Stories of Inspiration" and made available to schools to implement the requirements of subsection (3).

(5) Any student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption. Course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum which reflects local values and concerns. Each school district shall, on the district's website homepage, notify parents of this right and the process to request an exemption. The home page must include a link for a student's parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

(6) Each school district must submit an implementation plan to the commissioner and post the plan on the school district's website. The implementation plan must include all of the following:

(a) The methods in which instruction will be delivered for each grade level.

(b) The professional qualifications of the instructional personnel.

(c) A description of the instructional materials.

(7) The commissioner or the department must notify a school district if its implementation plan required under subsection (6), or a school district's reported instruction, do not meet the requirements of subsection (2) or established rules. The school district has a minimum of 45 days after receipt of such notice to submit revisions to its implementation plan to the department.

(8) The State Board of Education may initiate any of the actions under s. 1008.32(4) if a school district fails to comply with the requirements of subsection (2) or established rules.

Credits

Added by Laws 2002, c. 2002-387, § 131, eff. Jan. 7, 2003. Amended by Laws 2006, c. 2006-74, § 22, eff. June 5, 2006; Laws 2010, c. 2010-154, § 13, eff. July 1, 2010; Laws 2010, c. 2010-217, § 1, eff. July 1, 2010; Laws 2011, c. 2011-220, § 14, eff. July 1, 2011; Laws 2014, c. 2014-184, § 3, eff. June 20, 2014; Laws 2016, c. 2016-141, § 1, eff. July 1, 2016; Laws 2017, c. 2017-3, § 53, eff. July 7, 2017; Laws 2018, c. 2018-7, § 51, eff. July 1, 2018; Laws 2020, c. 2020-88, § 5, eff. July 1, 2020; Laws 2021, c. 2021-69, § 2, eff. July 1, 2021; Laws 2021, c. 2021-83, § 1, eff. July 1, 2021; Laws 2021, c. 2021-157, § 3, eff. July 1, 2021; Laws 2021, c. 2021-164, § 20, eff. July 1, 2021; Laws 2022, c. 2022-72, § 3, eff. July 1, 2022; Laws 2023, c. 2023-36, § 3, eff. July 1, 2023; Laws 2023, c. 2023-39, § 6, eff. July 1, 2023; Laws 2023, c. 2023-103, § 1, eff. July 1, 2023; Laws 2023, c. 2023-105, §§ 4, 7, eff. July 1, 2023; Laws 2024, c. 2024-102, § 1, eff. July 1, 2024; Laws 2024, c. 2024-251, § 6, eff. July 1, 2024.

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Notes of Decisions (3)

West's F. S. A. § 1003.42, FL ST § 1003.42
Current with laws, joint and concurrent resolutions and memorials in effect from the 2025 Special Session C and through July 1, 2025, of the 2025 first regular session.

End of Document

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