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MEMORANDUM

TO: School District Superintendents

FROM: Jacob Oliva

DATE: July 1, 2022

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DPS: 2022-96

SUBJECT: House Bill 7, Individual Freedom, School District Responsibilities

[House Bill 7](#) was signed by Governor DeSantis on April 22, 2022, and is effective July 1, 2022. In this bill, the Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. The bill specifies that subjecting individuals to specified concepts under certain circumstances constitutes discrimination based on race, color, sex, or national origin. Requirements for instruction on the history of African Americans, health education, and civic and character education are revised, and the State Board of Education is required to develop or adopt a “Stories of Inspiration” curriculum. The law sets forth principles of individual freedom and requires all instruction of required topics, as well as instructional and supporting materials on the required topics, to be consistent with the principles of individual freedom. Additionally, state instructional materials reviewers are prohibited from recommending materials that contradict the principles of individual freedom, and the Florida Department of Education is required to review school district professional development systems for compliance with the principles of individual freedom. This memorandum is organized by the topics of the bill: Discrimination, Required Instruction – History of African Americans, Required Instruction – Health Education, Required Instruction – Civic and Character Education, Required Instruction – Principles of Individual Freedom, Instructional Materials, and Professional Development.

Discrimination (amends section [s.] 760.10, Florida Statutes [F.S.], Unlawful employment practices)

- Subjecting any individual, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels such individual to believe any of the following concepts constitutes discrimination based on race, color, sex, or national origin under this section of statute:
 - Members of one race, color, sex, or national origin are morally superior to members of another race, color, sex, or national origin.
 - An individual, by virtue of his or her race, color, sex, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

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SENIOR CHANCELLOR

- An individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, sex, or national origin.
- Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to race, color, sex, or national origin.
- An individual, by virtue of his or her race, color, sex, or national origin, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, sex, or national origin.
- An individual, by virtue of his or her race, color, sex, or national origin, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- An individual, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the individual played no part, committed in the past by other members of the same race, color, sex, or national origin.
- Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin.
- Discussion of these concepts is not prohibited as part of a course of training or instruction, provided such training or instruction is given in an objective manner without endorsement of the concepts.

Section 1000.05, F.S., Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of access required, which may be cited as the Florida Educational Equity Act, is amended to mirror the concepts that constitute discrimination above in s. 760.10, F.S., and also includes these provisions:

- Subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe the concepts listed above constitutes discrimination on the basis of race, color, national origin, or sex under this section of statute.
- Discussion of these concepts is not prohibited as part of a larger course of training or instruction, provided such training or instruction is given in an objective manner without endorsement of the concepts.
- The term “gender” is replaced with the term “sex.”
- The term “ethnicity” is replaced with the term “color.”

Required Instruction – History of African Americans (amends s. 1003.42(2)(h), F.S., Required instruction)

- The following components are added to the topics of required instruction for the history of African Americans:
 - History and contributions of Americans of the African diaspora.
 - 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 for this required instruction 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.
- Classroom instruction and curriculum may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles of individual freedom enumerated in section (3) of the required instruction statute (see Required Instruction – Principles of Individual Freedom below) or the state academic standards.
- 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.

Required Instruction – Health Education (amends s. 1003.42(2)(n), F.S., Required instruction, and s. 1002.20, F.S., K-12 student and parent rights, and s. 1006.40, Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books)

- The following components are added to the topics of required instruction for health education:
 - Life skills that build confidence, support mental and emotional health, and enable students to overcome challenges, including self-awareness and self-management, responsible decision-making, resiliency, relationship skills and conflict resolution, and understanding and respecting other viewpoints and backgrounds.

- For grades 9 through 12, developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; 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.
- Health education and life skills instruction and materials may not contradict the principles of individual freedom enumerated in section (3) of the required instruction statute (see Required Instruction – Principles of Individual Freedom below).

Required Instruction – Civic and Character Education (amends s. 1003.42(2)(s), F.S., Required instruction)

- The character education topic is reworded to include 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.
- The requirements for a character development curriculum are deleted.
- Instructional Programming replaces requirement of a character development program.

Required Instruction – Principles of Individual Freedom (creates s. 1003.42(3), F.S., Required instruction)

- The Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. Instruction and supporting materials on the topics enumerated in the required instruction statute must be consistent with the following principles of individual freedom:
 - 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.
- 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 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 of individual freedom set forth in this subsection or state academic standards.

- 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 required instruction.

Instructional Materials (amends s. 1006.31, Duties of the Department of Education and school district instructional materials reviewer)

- An instructional materials reviewer may not recommend any instructional materials that contradict the principles of individual freedom enumerated in section (3) of the required instruction statute (see Required Instruction – Principles of Individual Freedom above).

Professional Development (amends s. 1012.98, F.S., School Community Professional Development Act)

- FDOE is required to review and approve school district professional learning systems for compliance with requirements outlined in the School Community Professional Development Act as well as compliance with the principles of individual freedom enumerated in section (3) of the required instruction statute (see Required Instruction – Principles of Individual Freedom above).

Thank you for your attention to the implementation of these important changes.

JO/he