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## **MEMORANDUM**

**TO:** School District Superintendents

**FROM:** Jacob Oliva

**DATE:** December 2, 2022

**SUBJECT:** **Amended State Board of Education Rule Regarding the Principles of Professional Conduct for the Education Profession in Florida**

### **Contact Information:**

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**DPS: 2022-187**

On March 28, 2022, the Governor signed [House Bill 1557](#), amending section (s.) 1001.42, Florida Statutes (F.S.), and on April 22, 2022, he signed [House Bill 7](#), amending s. 1000.05, F.S. Each bill made changes to topics that may be taught in Florida's classrooms.

The purpose of the Principles of Professional Conduct for the Education Profession in Florida is to serve as a guide for educators to ensure they make ethical choices and decisions while instructing Florida's students. Violation of the Principles of Professional Conduct for the Education Profession in Florida may result in a sanction against the educator's Florida Educator Certificate.

On October 19, 2022, the State Board of Education amended [Rule 6A-10.081](#), Florida Administrative Code, to ensure that the Principles of Professional Conduct align with Florida Statutes. These amendments went into effect on November 22, 2022.

First, the amendment prohibits educators from intentionally providing classroom instruction to students in kindergarten through grade 3 on sexual orientation or gender identity.

Next, the amendment expands the obligations of the educator regarding the prohibition of discriminating against any student on the basis of race, color, national origin, or sex, and includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels any of the concepts listed in s. 1000.05(4)(a), F.S.

Concepts listed in s. 1000.05(4)(a), F.S., include:

1. Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
2. A person, by virtue of his or her race, color, national origin, or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
3. A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
4. Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.

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SENIOR CHANCELLOR

5. A person, by virtue of his or her race, color, national origin, or sex, 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, national origin, or sex.
6. A person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
7. A person, 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 person played no part, committed in the past by other members of the same race, color, national origin, or sex.
8. 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, national origin, or sex to oppress members of another race, color, national origin, or sex.

Section 1012.796(1)(d)1., Florida Statutes, states “each school district shall file in writing with the department all legally sufficient complaints within 30 days after the date on which subject matter of the complaint comes to the attention of the school district, regardless of whether the subject of the complaint is still an employee of the school district. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education.” School districts will now need to report violations of these amendments to the Office of Professional Practices Services.

Thank you for your attention to and implementation of these important changes to further ensure the rights of parents and students and the health, safety and welfare of Florida’s students.

JO/rk