



Real Solutions that Improve Student Learning!

2021 Legislative Agenda

1. Authorize universal Education Savings Accounts for all Florida parents and expand parental choice options and eligibility for the Gardiner, Hope, Tax Credit and Family Empowerment Scholarships.
2. Aggressively advocate for the 2020 FL Parental Rights bill. sponsored by Rep. Erin Grall and Sen. Kelli Stargel.
3. Allow parents to use all Florida scholarships for online instruction.
4. Strengthen Florida's statutes to protect minors in our schools from exposure to pornographic material.
5. Improve the legal definition of Instructional Materials used in public schools as textbooks, online, supplemental and library materials.
6. Advocate for alternate authorizers of K-12 public schools.
7. Align teacher certification with Florida's new world class standards and curriculum.
8. Make public schools safe for every child.

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Florida Citizens Alliance 2021 Legislative Agenda Detail

Script #1: Authorize universal Education Savings Accounts for all Florida parents and expand parental choice options and eligibility for the Gardiner, Hope, Tax Credit and Family Empowerment Scholarships.

- With US Supreme Court Espinoza v. Montana decision effectively ending the Blaine Amendment impediment, there is a very favorable opportunity to aggressively expand school choice.
- Now is the time for a universal Education Savings Account (ESA).
- Expand access to all existing scholarship programs.

Script #2: Aggressively advocate for the 2020 FL Parental Rights bill. sponsored by Rep. Erin Grall and Sen. Kelli Stargel.

- Parents feel increasingly intimidated by state government entities infringing their parental rights.
- In response Rep. Grall and Sen. Stargel sponsored the Parental Rights bill last session.
- Unfortunately, the bill died in a Senate committee near the end of session as time expired. It did not fail on its merits.
- We strongly believe this bill supports the best interests of the State of Florida, Florida's parents and children and urge its passage.

Script #3: Allow parents to use all Florida scholarships for online instruction.

- Because of the pandemic, many Florida public schools began offering online instruction.
- As a consequence, public school students enjoy a benefit that is not currently available to the recipients of Florida's scholarship.
- We believe this omission should be corrected to allow recipients of Florida scholarships to use them for online instruction.
- A simple change in one statute could provide all Florida students the benefit of online instruction. See sample bill language below.

FL Statute 1002.01:

(2) A “private school” is a nonpublic school defined as an individual, association, co-partnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(13) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence, ~~or~~ extension, **or online systems** except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. This definition does not include home education programs conducted in accordance with s. 1002.41.

Script #4: Strengthen Florida’s statutes to protect minors in our schools from exposure to pornographic material.

- FLCA teams identified numerous examples of materials harmful to children. <https://GoFLCA.com/porn-report>
- Our list is extensive, but not exhaustive.
- We must strengthen FL Statute Chapter 847 to legally protect our children from harmful materials.
- See **Appendix A** for Bill language for FS 847.001 and 847.012 that can be combined into a single bill.

Script #5: Improve the legal definition of Instructional Materials used in public schools as textbooks, online, supplemental and library materials.

- In today’s Florida education statutes, the term “instructional materials” is being interpreted by district legal staffs to be only textbooks.
- This means all supplemental materials, on-line lesson plans, etc. do not have to comply with current statutes.
- This leaves the door wide open for all kinds of potential instructional mischief; the use of unapproved materials, political indoctrination, the introduction of misinformation or controversial material and so forth.

- See sample bill language below **Appendix B** for bill language.

Script #6: Advocate for alternate authorizers of K-12 public schools.

- Florida law only allows district school boards to authorize charter schools.
- In 2020 Senator Diaz and Representative McClain submitted similar bills to permit additional authorizers for charter schools.
- One bill authorized certain Florida universities to authorize charter schools and the other gave the responsibility to the Florida Department of Education.
- FLCA supports both approaches and favors approving both of them.

Script #7: Align teacher certification with Florida's new world class standards and curriculum.

- Earlier this year Florida adopted new standards for education; Benchmarks for Excellent Student Thinking (BEST)
- Aligning teacher certification with the BEST Standards is essential or the new standards become meaningless.

Script #8: Make public schools safe for every child.

- Every person has a God-given right to self-protection.
- We must end gun free zones that are magnets for violence.
- We support allowing qualified teachers and administrators to carry a concealed weapon as part of the Guardian program.

Appendix A: Chapter 847.001 and 847.012

Title XLVI

CRIMES **Chapter 847**

OBSCENITY **View Entire Chapter**

The 2019 Florida Statutes

Title XLVI

CRIMES **Chapter 847**

OBSCENITY **View Entire Chapter**

847.012 Harmful materials; sale or distribution to minors, or using minors in production prohibited; **includes use in public schools**; penalty.—

(1) As used in this section, “knowingly” means having the general knowledge of, reason to know, or a belief or ground for belief which warrants further inspection or inquiry of both:

(a) The character and content of any material described in this section which is reasonably susceptible of examination by the defendant; and

(b) The age of the minor.

(2) A person’s ignorance of a minor’s age, a minor’s misrepresentation of his or her age, a bona fide belief of a minor’s age, or a minor’s consent may not be raised as a defense in a prosecution for a violation of this section.

(3) A person may not knowingly sell, rent, or loan **for monetary consideration** to a minor:

(a) Any picture, photograph, drawing, sculpture, motion picture film, videocassette, or similar visual representation or image of a person or portion of the human body which

Appendix B: Instructional Materials legal definition and FS quality criteria

2. "Instructional materials" has the same meaning as in s. 1006.29(2). "Instructional materials" means systematically arranged content in text, digital, braille and large print or audio format which may be used within the state curriculum framework for courses of study by a student in a public school. The term includes textbooks, workbooks and worksheets, handouts, computer software, online and internet courses, CD's or DVD's and multiple forms of communication and electronic media. Instructional materials may be used by a student to cover any portion of the course. Instructional materials: 1) Must be designed for student use: 2) May contain or be accompanied by teaching guides and study helps: and 3) is redefined to include all materials used in the classroom or assigned to students, whether printed or online, supplemental materials and all materials available to students in school libraries and/or media centers.

5. Quality Criteria as defined in 1006.31(2) for all instructional materials is redefined and added to s 1006.28 as: All adopted instructional materials shall meet these quality criteria and legal specifications:

- a. Be research-based, and be proven to be effective in supporting student learning
- b. Provide a non-inflammatory, objective, and balanced viewpoint on controversial issues
- c. Be appropriate to the students' ages and varying levels of learning
- d. Be accurate and factual
- e. Be of acceptable technical quality (i.e. meets generally standards for print and online delivery of materials).
- f. Be in full compliance with s 847.012, s 1003.42 2(a-f) and all other instructional materials statutes.