

Tying the Hands of District Public Schools: An Analysis of Potential Consequences of Recent Education Bills

SUMMARY

Florida's public schools are often touted as being the best in the nation. The state's Department of Education explains, "we work hand in hand with parents, teachers, educators, and community members to improve Florida's education system for students of all backgrounds and abilities." Yet, the 2022 Florida Legislative Session has brought with it a flurry of bills designed to restrict the state's district public schools' ability to provide a safe, accepting, educationally stimulating, and rewarding environment. They also pit residents, especially parents, against those who have been entrusted and educated to instruct their children or to make decisions about what the district school system needs to be a thriving learning community.

The League of Women Voters of Florida (LWVFL) rejects attempts to use the power of the state to constrain discussion and difficult but truthful accounts of our nation's history. The politicization of curriculum by Florida's legislators has tossed aside the goal of an educated citizenry for our state, preferring instead to gag Florida's teachers such that district public school students learn only partial truths, are unable to think analytically about important personal and social issues, and are ignorant of options available to citizens who live in a democratic society.

These bills that penalize teaching the truth, passed Florida's 2022 legislative session despite LWVFL and our allies' vigorous opposition. Some are listed here; some have names that cover-up their intent, and none suggest a goal of improving academic achievement:

HB 1467: K-12 Education- Imposes severe restrictions on instructional materials that can be used and how public input must be enhanced through specific policies. The censorship overreach of this bill discounts the experience and true cultural history of minority students.

SDHB1557/S1834 (Similar) Parental Rights in Education (dubbed the "Don't Say Gay" bill) Imposes severe restrictions on the kinds of discussions teachers may have with students, preventing children from seeking assistance with issues that cause them distress.

SB 148/HB7 (Similar) Individual Freedom – ("Stop WOKE Act") Prohibits public schools and private businesses from inflicting "discomfort" on people during lessons or training about discrimination and places limits on instructional materials. Breaches of this law could lead to expensive lawsuit against the employer or school board.

LWVFL believes that such divisive legislation has consequences for students, teachers, schools, and their communities. Most significantly:

- *When students are prevented from learning the truths of our past, it hinders robust conversations among students and denies opportunities for them to consider solutions to injustice and social division.*
- *When teachers are restricted in what they can teach and academic freedoms are limited, self-censorship and self-doubt dominate instructional decisions, teachers feel ineffective and, increasingly, decide to leave the profession.*
- *When schools are required to spend monies on unfunded censorship mandates and burdensome lawsuits, they have fewer dollars to spend on equitable, high-quality instruction.*
- *When communities are encouraged to assume that the public schools are not serving students' best interests, it pits schools and communities against each other and diminishes the cooperative and supportive role that traditionally has characterized school/community relationships.*

What are the consequences for schools and communities under these constraints?

Consequences for Students

When students are not exposed to texts that offer diverse perspectives, they are unprepared to think analytically about complex issues or to live in our multicultural community.

These far-reaching bills may change not only the student, but also our society. They prohibit students from discussing different perspectives. They will not have opportunities to develop the ability to think analytically or make their own decisions.

Cutting off students' access to books that one group of parents find objectionable will have a very negative impact on all students and their learning. Who decides which books are acceptable? What happens to previously censored materials when there is a political power shift? Are they returned to classrooms and libraries? Banning books is often more about the discomfort of the adults than that of their children. Both fiction and nonfiction have the potential to provide students with opportunities to have an awareness of situations and experiences that they might not have personally encountered and to discuss them with their peers and others. Such texts can offer teachable moments, and improve a student's ability to see their history, experience, and culture and that of others, with a different lens. By taking away these opportunities, policymakers are ensuring there will be increased bullying, disrespect, and violence in public schools and colleges.

If unable to discuss choices they have, how will students be able to create personally meaningful goals for their lives and work toward reaching them? Their self-awareness and self-direction are affected if they cannot safely speak about what is important to them, that they must self-censor their ideas. As students become more aware of themselves, they simultaneously will be developing such skills as empathy and understanding of life's complexities; they will become better decision makers.

Never learning about and discussing the complete history of our country, the contributions that so many have made as well as some of the darker, more disturbing facts, will also have a huge impact on the future of our nation.

Consequences for Teachers

Teachers cannot support censorship that negatively impacts students and their growth as well-rounded global citizens, and they will leave the profession.

The LWWFL believes that ongoing efforts to censor materials set teachers up for failure. If material is appropriate one week but not the next, how would they know? Teachers are struggling to determine what's permissible and are being asked to navigate carefully what and how they teach - or they might get in trouble. Self-doubt and self-censorship creep in and impact teacher effectiveness, potentially leading to legal, financial, and reputational consequences, as well as angry parents, and even job loss. Teachers feel overwhelmed, over-criticized and demoralized. Because teachers cannot support censorship that negatively impacts students and their growth as well-rounded global citizens, they will not remain in the classroom. Will this situation contribute to high academic achievement?

Consequences for Schools

Schools will struggle to meet the unfunded mandates of these bills, expending money and time that would be better used for educating our public-school students and clogging up the already strained courts, defending lawsuits from angry parents.

The LWWFL finds that schools also have not been spared from the consequences of such heavy-handed, legislated censorship. Administrators are finding it impossible to have a qualified teacher in every classroom. Teacher shortages are climbing, and many experienced teachers are deciding to leave. The State Department of Education reported that increased numbers of staff are teaching out of their areas of expertise and "postsecondary institutions [are not producing] enough graduates to meet the needs of Florida's K-12 student population." As of January 10, 2022, the number of teacher vacancies for year 2021-2022 is 4,489, with a projected vacancy of more than 9,000 by the end of the year.

Currently, about 10% of 591,461 courses taught statewide are being taught by someone who is not certified to teach that field. Schools are combining classes, canceling special classes such as music and art, pulling administrative personnel to teach, and adding extended study halls to

essentially babysit students who don't have a teacher. No doubt public school quality will plummet.

Issues around book selection also pose challenges for schools. Each book made available to a student through either a media center or instructional list must be selected by a school district employee who holds a valid Educational Media Specialist certification. Florida ranks number 36 out of 50 states nationwide for School Library Media Specialist salaries and thus recruiting certified individuals may be difficult.

Schools are now required to publish complete lists of instructional materials and books in a searchable format on their websites, resulting in additional costs for schools out of their already insufficient budgets, impacting most severely smaller and more rural school districts.

Additional hours will be required of school staff to research parent and interested party requests to determine if books will be pulled. For example, the LWVFL understands that Polk County is forming two committees of 8 people each, including school personnel, who will each read 8 books cover to cover and then participate in public meetings to discuss whether the books should be permanently removed. The process will take 13 weeks.

The money and time that would be better spent educating our public-school students will instead be spent to satisfy requests that are not necessarily applicable to all students. What one parent regards as inappropriate does not apply to every parent of all the students in the school.

Consequences for Communities

These educational gag orders lead to community fractures where residents are unable to communicate with each other or understand how each contributes to the community's well-being.

Schools are often at the center of community life. When a small minority of parents/residents/activists belittle the work of the school, that center weakens. Mistrust develops, adversarial relationships flourish. Florida is one of the most diverse states in the nation, with 64% diversity. The number of white students had declined from 53.3% in 2000 to 38.7% in 2016, and it continues to decline in schools and in the workplace. Legislating that only one group's ideas, history, culture should be taught in publicly funded schools and colleges is discriminatory. It ignores the reality of community diversity and denies large groups of individuals the right to be recognized. LWVFL believes that educational prohibitions on teaching complete truths and the attempt at homogenization of the school curriculum and instructional approach lead to community fractures where residents are unable to communicate with each other or appreciate how each contributes to the community's well-being. Instead of working towards strengthening ties between schools and communities, legislators seem determined to cut them.

Solutions

The League of Women Voters of Florida offers several solutions to address the current heavy-handedness and “white-washing” approach to determining which curriculum materials have instructional legitimacy:

- Legislators must reject proposed legislation that grants censorship rights to one group of parents while simultaneously prohibiting these titles to other parents who believe the materials are important for their children and that censoring them violates their children’s rights.
- For statewide text adoptions, Florida’s State Department of Education should have an open and transparent process that includes public hearings and members of the public serving on its text selection committees.
- The media could share more stories that illustrate how teachers are having success with students despite the complexities of staff and teacher shortages. Recent media accounts of what’s happening in our schools have focused too often on the negative: hostile parents at school board meetings, and teachers demanding better working conditions.
- School districts must provide accurate information on the costs associated with implementation of these bills.
- Individual parents should be able to request that their child not have access to certain instructional materials. Teachers can provide alternate assignments and school libraries can devise mechanisms to prevent individual students from checking out books disapproved by their parents.
- Schools, the media, and legislators should explore and identify in a nonpartisan fashion the impact of these bills to determine what Floridians are saying about their effect on students, teachers, schools, and their communities.

Prepared by:

Jill Lewis-Spector, Ed. D.

Christene Campbell-Gabor

Linda Mann