

HOW FREE IS FLORIDA?

Censoring Education is Not Freedom

Central to the concept of freedom is the liberty to teach our children accurate history, not whitewashed history, and to examine and explore complex topics such as gender, race, diversity, and human sexuality in an age-appropriate manner. Florida's censoring of public-school education and whitewashing of American history taught in our public schools is not "freedom".

Governor Ron DeSantis and Florida Republican Legislators Reimagine Public Schools – Their Strong Attack & Defunding has been Long in the Making

"Rest in peace, public education." This headline in the St. Augustine Record in late 2018 predicted well the frontal attack that Governor DeSantis and his new education leadership team were planning once they assumed office.

His team has in fact dramatically reshaped Florida public education during their term in office since 2017 with a series of legislative and executive measures. He has made parental rights one of his main issues, taking aim at school boards and administrators who he believes need to be held accountable and their authorities diminished. He has also rolled back higher education diversity programs, engaged in a high-profile feud with the College Board over its African American studies course and worked with other Republicans to reshape higher education in Florida by installing key partisan allies in statewide posts.

The movement of Governor DeSantis to reshape and censor education in Florida has also been driven by political opportunism sought by right-wing activists in Florida and nationwide. They have exploited the resentments of many opposed to local COVID-19 masking, school closure mandates, issues of race and woke policies. This anti-woke political crusade gained prominence several years ago with the shootings of Black citizens and subsequent protests and violence in several cities across the country.

The origins of this Education Culture War, however, can be traced to two decades ago when a young Republican Florida governor, Jeb Bush (1999 – 2007), first attempted to "reform" public education by placing a strong emphasis on the principles expanding parental choice and increasing school accountability through school and student testing and grading. Similar initiatives were then proposed and promoted in Michigan by Betsy DeVos, a prominent Republican politician and philanthropist, who later became Secretary of Education under former President Trump. She also allied with Jeb Bush working with him as a leadership member of his education think tank founded in 2017 and named "Foundation for Excellence in Education," another example of Orwellian doublespeak.

The issues of racial inequality were magnified by the Black Lives Matter movement which gained ground starting in 2012. As with many progressive movements, it resulted in a backlash of fear and alarm among its opposition – fear that racial apologist issues were being taught, and students were being indoctrinated in our public schools, colleges, and universities. This gave rise to an intensified campaign of censorship by GOP legislators and leaders in Florida and other red states against educators, liberals, and public education curriculum. These have been wrongfully accused of subjecting kids to systematic political brainwashing and causing unnecessary racial apologies and demands for reparations. However, with the systemic political brainwashing being attempted by the DeSantis's administration, social tensions are being further increased and exploited by the GOP campaigns of fear and suppression.

Prominent among the measures recently adopted by the Florida Republican legislature and governor have been the following:

- **HB 7 - Stop Woke Act (Individual Freedom Act of 2022)**
- **Main Provisions** - Limits the way gender and race are discussed in classrooms and workplaces. Teachers are barred from teaching lessons that would make students “feel guilt, anguish, or any other form of psychological distress” due to their race, color, sex, or national origin.
- **Implications** - It whitewashes our nation’s history. It challenges our basic principles of free thinking and speech, our conviction that educators and not politicians should be defining our school curriculum and lesson plans and deciding what transpires in our classrooms, as well our belief that students can and should consider and study complicated issues with consideration for past history and cultures, especially as a means for developing critical thinking skills.
- **HB 1467 – formally called the "K-12 Education Law" a/k/a “Florida Parental Rights in Education Act of 2022”**
- **Main Provisions** – Portrayed as an effort to give parents more control over what their children learn at school after the pandemic increased scrutiny of K-12 education. Opponents of the measure have labelled it the “Don’t Say Gay” law because it blocks educators from teaching lessons on sexual orientation and gender identity. It outlines what parents have the right to review in their children’s education, including access to teacher-parent meetings, school budget materials, curriculum, books, libraries, and the opportunity to testify before a school board.

During the 2023 legislative session, GOP lawmakers bolstered the law through HB1223 by including restrictions on using a student’s pronouns if they “do not correspond” with their sex assigned at birth.

- **Implications** – though HB 1467 is ostensibly about requiring that all school library books be free of pornography and appropriate for the grade level and age group for which the materials are made available, the additional restrictions of HB 7 and HB 1557, with their broad and vague language, are resulting in sweeping book bans.

HB1667 requires that reading materials undergo a sustained review and preapproval process before students use them. Librarians and education experts expect that the training is going to contribute to self-censorship on the part of librarians, because they are fearful of violating the new laws and rules. That, in turn, could lead to students losing access to diverse perspectives, especially historically marginalized students who find themselves represented in many of the banned books and instructional materials.

Teachers, librarians, and other school officials have indicated they are deeply fearful of the felony charges that could come if they are found in violation of HB 1467. Amid this fear and uncertainty, some districts have advised them to remove or cover all their classroom books.

- **HB1 – EDUCATION VOUCHERS – enacted in 2023**
- **Main Provisions** – The bill expands the state’s school voucher program by opening it up to all K to 12 students regardless of family income. HB1 undermines public education by handing out public money to charter and other private education schools to any parent who asks for it. Parents can choose any school for their child, and it would be paid for with a taxpayer funded voucher system. Gov. DeSantis has said that “if the taxpayer is paying for education, it’s public education.”
- **Implications** - Funds unaccredited private schools (these can and do hire anyone to teach whether they are qualified or not and do not teach the state standards as their students do not sit

for state tests). Questionable results are expected of the law as there is NO history of such programs improving student learning. Overall, the impact of the new voucher system remains uncertain, creating significant concerns because its overall effect is to defund public schools.

- **HB999 – ELIMINATES DIVERSITY PROGRAMS – enacted in 2023**
 - **Main Provisions** - Eliminates diversity, equity, and inclusion (DEI) initiatives, and critical race theory (CRT) from public education (including colleges and universities).
- **Implications** - Florida now has the most sweeping set of restrictions on classroom discussions about race and gender in the nation. It prohibits education on race relations, diversity and Black history in our public schools and state colleges and universities. It makes our education institutions less academically sound, less diverse, less fair, and less equitable.
- **HB1223 – TEACHING GENDER TOPICS – enacted in 2023**
 - **Main Provisions** - Prohibits classroom instruction related to gender identity or sexual orientation in pre-kindergarten through grade 8, with executive action recently extending the prohibition to grade 12
 - **Implications** - Florida now has the most sweeping set of restrictions on classroom discussions about race and gender in the nation. Places restrictions on school lessons for grades K through eight concerning sexual identity and gender orientation. Silences young students' right to ask their teachers about sexual issues due to the ban in Florida's public schools for instructions on human sexuality, sexually transmitted diseases, and related topics, including menstruation, before 6th grade. Obscures and persecutes the LGBTQ+ community. It also targets how school staff and students can use pronouns on K-12 campuses. Specifically, the legislation stipulates that school employees can not ask students for their preferred pronouns and restricts school staff from sharing their pronouns with students if they "do not correspond" with their sex. Under the bill, it would be "false to ascribe" a person with a pronoun that "does not correspond to such person's sex."

Some of these laws are being challenged in our Florida courts, as this article is being written. One such challenge, is an Eleventh Circuit Court of Appeals case in which three LGBTQ students and eleven parents are challenging the 2022 "Don't Say Gay Law" (HV 1557), filed on June 7, 2023.

Another case concerning the Education Culture War demonstrating how wrong it would be to whitewash American history and remove references to slavery, is a 2009 Southern District of Florida case involving the removal of the book about Cuba, (Vamos a Cuba). In American Civil Liberties Union of Florida Incorporated v. Miami Dade School Board, this Florida Federal Court approved the removal of a book about Cuba for inaccuracies as it showed life in Cuba as no different from life in the United States. The Court found that the removal was not politically motivated and supported its decision based on questions relevant to the case that included:

1. And what about a book about life in the antebellum South that asserted: "People in the old South ate, worked, and went to school like you do," neglecting to mention anything about slavery and the millions of human beings who lived and died in bondage? Would we describe that book as "apolitical"?
2. Would a school board be forbidden from removing the book from its library shelves because the book's distortions were through omissions, or because it went against "politically orthodox views"? Would removal of the book be prohibited on the ground that it was motivated by the book's failure to contain enough "negative political information" about the pre-Civil War South?

Yet, the current Florida Governor and legislature want to whitewash history and remove slavery from the history books, claiming it causes students to “feel guilt, anguish, or any other form of psychological stress.” due to their race, color, sex, or national origin. By exploiting this language, our history is being taught to our young Floridians in such a way as to constitute revisionist history and alternative facts.

To further his Education Culture War targeting school boards and administrators, Governor DeSantis took the additional step in the last election of endorsing school board candidates in several nonpartisan races and leveraging his political influence by funneling more than \$2 million into those races. DeSantis’s picks ran under the theme of parental rights and anti-woke policies which have entailed fewer accommodations for transgender students including participation in competitive sports, healthcare, and use of bathroom facilities. He also signed in 2022 a bill mandating 12-year term limits for school board members.

The Florida Governor’s Education Culture War also targeted teachers’ unions, namely the Florida Education Association over the closing and reopening of schools during the COVID-19 pandemic. Florida was among the first states to bring students back into classrooms at the beginning of the 2020 school year with DeSantis issuing an executive order mandating schools reopen and prohibiting them from requiring masks. He attacked the union for opposing his measures and threatened to withhold funding for non-compliant school districts. His retaliation against teacher unions has included legislation setting higher benchmarks for certification (increases employee membership requirement to 60%) and prohibiting automatic deductions from teacher paychecks for union dues. Oddly, these restrictions do not apply to unions for first responders and correctional officers.

To spearhead and manage his “War on Education” through the Florida legislature, DeSantis assembled an education leadership team comprised of seasoned and highly influential legislators strongly steeped in his hostility philosophy towards public education and favoring charter and other private schools. Other persons of influence, assisting his education agenda, have reportedly included Betsy DeVos, Past Secretary of Education, and past Governor Jeb Bush (1999 – 2007).

Former Governor Bush and Secretary DeVos have been strong allies of Ron DeSantis. DeVoe is a longstanding advocate of school choice and school voucher programs, and once called traditional public schools “a dead end,” She has often pointed to Florida’s embrace of charter schools and voucher-like programs as a model for the nation. With her family, she has been a major contributor to DeSantis election campaigns. She has additionally served on the board of his education foundation. Bush’s “Florida formula” has been based on the principles of increasing school accountability and expanding parental choice. Its mission has been to improve public schools, particularly those in poor and minority communities, by fighting what he calls “government-run, unionized, politicized monopolies” that “trap good teachers, administrators and struggling students in a system that nobody can escape.” Among the formula’s other tenets are:

- Evaluate schools on an A-to-F scale, based mostly on student scores and growth on standardized tests. Give students in poorly ranked schools vouchers to attend private and religious schools.
- Expand access to online classes and charter schools, which are publicly funded but privately managed, sometimes for profit.
- Use taxpayer vouchers for tuition at private schools,
- Adopt Common Core State Standards for student testing

Bush has said that “we can’t just outsource public education to bureaucracies and public education unions and hope for the best.” Ironically, he supports outsourcing public education to for-profit education companies which open public charter schools but run them like a business.

These tactics, however, fail to fully address the reality that most poorly rated schools have a high concentration of poor minority children and such low rated schools more often have inadequate resources (such as computers, counselors, library materials and offerings of advanced courses) when compared to

highly rated schools. Furthermore, there exist social and economic obstacles that impede the transfer and placing of poor minority students from poorly performing schools in charter, other private, or religious schools.

Due to his initiatives of 20 years ago and legislation enacted during the tenure of GOP Governor Rick Scott titled the Schools of Hope Law, Florida now has the second-highest number of for-profit charter schools in the country. This record, however, is tarnished because Florida also has a disproportionate number of charters getting failing academic letter grades from the state under a grading system introduced by Bush. It has also been revealed that a number of Republican lawmakers in the state legislature have had financial stakes in the charter school industry. Florida's charter sector has also been marred by numerous closures of charters and repeated financial mismanagement scandals.

To his credit, while in office Governor Bush successfully pushed through the Florida Tax Credit Scholarship Program. This plan has allowed many students to attend private school with the help of publicly funded tax credits.

CONCLUSION

In Florida, the education model has traditionally been a local control state. For education, the term local-control state refers to states in which the governing and management of public schools is largely conducted by elected or appointed representatives serving on governing bodies, such as school boards or school committees, located in communities served by the schools.

Local governments (county and city) have typically been in charge of the day-to-day operations of schools through their elected school boards and designated school principals with local boards heavily involved in the establishment, selection, and regulation of specific curriculum, teaching methods, and instructional materials in their schools.

The state government helps in the funding of public schools using sources such as income tax, sales tax, and property tax. Until recently the state, through its Department of Education and Commissioner of Education, has been involved in the establishment of broad policy guidelines for the selection and regulation of curriculum, teaching methods, and instructional materials in the schools in the state.

In Collier County, unlike most of the other counties in the state, there is significantly less reliance on state funds for the county education budget with local property taxes funding the lion's share. For 2023, local funding via property taxes accounted for 73%, state funding 10%, and federal funding 17%. Despite this self-reliance, and due to excellent local education management, schools in Collier County have had an average ranking of 9/10, which is in the top 20% of Florida public schools.

Recent actions by the GOP Governor and the GOP majority state legislature have sought to dramatically change this successful model for Collier County and other counties having a record of strong quality education. These initiatives, begun 20 years ago when the GOP assumed control in Florida of the executive and legislative branches, have sought to diminish public education resources with the allure of more efficient, but unproven, charter and private school academic results.

Given the significant curriculum management and financial constraints being placed on public schools throughout the state, it will be imperative for parents and citizens to closely monitor local education strategies and academic results in each school district. It will also be crucial to guard against the assault being waged by GOP education critics and activists in state government and on local school boards. **Most importantly, citizens must be vigilant as ultra-right MAGA followers attempt to exploit incendiary issues in a highly divisive political landscape.**