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Florida Education Association

Frontline Report

2021 Legislative Session

Week 7 - Day 46

April 16, 2021

ALL HANDS ON DECK

As we hit the final weeks of session, we now are facing the worst bill in many years. If passed it would attack the rights of individuals to join and maintain their union membership. This is all hands on deck! **Call and email your [representative](#) and [senator](#) every day until these bills are voted on. HB 835 will be heard Tuesday on the House floor. SB 1014 is up Tuesday in its final committee of reference and has been added to the calendar of bills to be heard by the entire Senate on Wednesday.** These bills are monster attacks on all of us – teachers, teacher's aides, bus drivers and cafeteria workers, reading and literacy coaches, social workers, media specialists, etc. — not to mention now attacking nurses and other public sector workers except police, firefighters and corrections officers.

Attacking your Freedoms

Pop Quiz: What happens when you have a group of informed legislators, an army of concerned and passionate educators, and an unprepared and arrogant bill sponsor? If you answered the outcome of the State Affairs Committee meeting on HB 835, then kudos to you.

On Thursday our members sat through the over five-hour House [State Affairs Committee](#) and ultimately testified (in about 30 seconds each) on why the newly redrafted [HB 835](#) is a bad bill

for Florida, and an outright attack on our freedoms to join and maintain our unions. The bill, which was amended to combine both the provisions within HB 835 with those in HB 947, now requires all female-dominated unions – teachers, nurses, school personnel and other public sector unions – to meet an arbitrary 50 percent threshold to maintain union representation and prohibits payroll deduction for payment of union dues. The bill exempts male-dominated unions – police, firefighters and corrections officers.

Despite the bill passing on a party-line vote, there were still significant victories. Not a single Republican member of the committee debated in support. And the bill sponsor was backed into a corner by the questioning of the Democratic members on the committee. So, it begs the question, why are union protections only good enough for police, fire, and correctional officers and not educators, nurses, bus drivers, custodial workers, etc.? Well, that question was specifically asked by Rep. Omari Hardy (D-Palm Beach), to which the bill sponsor's replied: "Because they (police/fire) run into danger, not away from it, and because of the unique role they play, they can be allowed to have their dues deducted."

That is right folks. Whether someone gets their constitutionally protected freedoms or not all comes down to an arbitrary line related to the amount of danger you face. I guess teachers and nurses do not face any danger when they are face-to-face with a deadly virus, or when teachers are asked to carry guns to protect their classrooms from active shooters, or when bus drivers must get on the road every day and safely transport our children to and from school.

It was also pointed out by Rep. Yvonne Hinson (D- Gainesville) and Rep. Dottie Joseph (D-Miami) that this policy of separating police, fire and correctional out of the bill may create a disparate impact as fire and police are predominately male-dominated professions while the nursing and teaching professions, which are most impacted by the bill, are predominately women. The bill sponsor replied that this was not an issue because the Florida House had a female police chief on the House floor this week, and this is evidence that women do, in fact, work in these professions, so there is no issue at hand. So, let me get this straight. If you create a policy that adversely affects one group of people of a protected class more than another, you can do it so long as there is at least one individual with that protected class in the group that is not being adversely affected. Yes, you would be hard pressed to make this stuff up. Also, the bill sponsor is an attorney.

We could take up an entire *Frontline* covering just this committee meeting alone, but at the end of the day we could not be more thankful for all of our members who came up to testify, and for our passionate and concerned Democratic allies who stood up for personal freedoms, constitutional protections, and fundamental rights. The bill will be up on Special Order on the House floor on April 20, with the final vote likely Wednesday.

If you are up for watching that nasty, heated battle — and seeing how condescending the

sponsor was, and the outright disdain that Rep. Cord Byrd (R-Jacksonville Beach) had for his colleagues, the chair and those in the audience who testified against the bill — you can visit the [Florida Channel and watch the committee recording](#). We start at two hours, 29 minutes into the committee. In the countless hours your public policy team has followed committee meetings, very few were like this one, for better or worse.

Heartfelt Thank You

We owe a heartfelt thank you to the members who traveled to Tallahassee this week to testify against HB 835 and SB 1014. Ultimately, thanks to a lot of procedural moves by both Republican and Democratic members of the Senate [Rules Committee, SB 1014](#) by Sen. Dennis Baxley (R-Lady Lake) was calendared but not heard, so our members who traveled to Tallahassee sat through a six-hour Rules Committee meeting listening to some interesting bills but ultimately did not testify.

Thank you to the following members: Elizabeth Alpert, Nick Anderson, Shareka Battle, Michelle Brutus, Michael Claypool, Karyn Cunningham, Kevin Daly, Kiara DeCoursey, Jacquelin Dickey, Kate Dowdie, Patty Farley-Crutcher, Kerry Fitzgerald, Dave Galloway, Felecia Hampshire, Amy Hawkins, Karla Hernandez-Mats, Roscoe Hightower, Sonia Johnson, Cassandra Johnson, Steven Kirn, Vince LaBorante, Michael Lawless, Kevin Lee, Jordan Lenchitz, Heather Lewis, Gordan Longhofer, Karen Mariad, Emily Maribal, Nancy Mason, Lisa Masserio, Scott Mazur, Jackie McColister, Lissa O'Rourke, Chris Pagel, Donald Persson, Marian Phillips, Lora Phillips, Ron Pollard, Mary Rivera, Bruce Sabin, Jordan Schott, Ben Serber, Brigtet Sharpton, Jeff Skipper, Kathy Smith, Jeimy Solis, David Stieren, Sherene Tolbert, Matthew Tomko, Caitlin Walters, Carmen Ward, Misty Ward, La-Shanda West, Antonio White, Krystal Williams, and Michael Woods.

Not to be outdone, we're welcoming members to travel back to Tallahassee to sit through what could be an almost 10-hour Rules Committee meeting where SB 1014 is scheduled to be heard next Tuesday. Like its companion in the House, this strike-all will exclude police, firefighters and corrections officers, but apply to teachers, nurses, support professionals and other public sector workers.

If it ain't broke...

This session the Senate and the House have been working to "rectify" issues in our voting process here in Florida. Many are surprised to hear that there were any issues that needed to be fixed following the 2020 general elections considering that for the first time in many years, Florida's election went smoothly, and nationwide there was no evidence of widespread voter fraud. There were no glitches in the system, people were able to cast their votes in several different ways, long lines were nonexistent, and preliminary election results were quick, especially compared to other states.

The original iterations of this bill specifically targeted the Vote-by-Mail (VBM) process. [SB 90](#), Election Administration, was dramatically changed by its sponsor, Sen. Baxley (R-Lady Lake), in this week's Rules Committee. The bill now makes changes to several election rules and regulations. While some improvements were made to the bill, including a provision that allows for the use of supervised ballot drop boxes during early voting, not all changes were favorable.

SB 90 also makes changes to the length of time VBM ballot requests are valid. Under this new legislation, VBM requests will now only be valid through the next general election, however, those who requested VBM ballots in the 2020 election cycle will still receive their VBM ballots through 2024 if they elected to do so. Most notably, the bill includes a provision that would not allow anyone to give anything to someone within 150 feet of a polling location. This includes water, snacks, chairs or anything else that may make standing in a long line more comfortable.

Unsurprisingly, the bill prompted lots of public testimony, questions from the senators, and lengthy debates. Due to an inability to extend the meeting, the bill was not voted on in this week's Rules Committee. The bill will have to be placed on another Rules Committee agenda to be voted on and moved to the Senate floor. The House version of this bill, HB 7041 sponsored by Reps. Ingoglia and Byrd, is similar and is now heading to State Affairs for consideration. The bill may or may not undergo more changes during the last weeks of the legislative session, but it is important for you to understand the new voting rules, so that you can ensure that your vote is counted!

In Other News

Early Education Redraft

Late Wednesday evening a strike-all was dropped for [HB 419](#) by Rep. Erin Grall (R-Vero Beach) for a 9 a.m. committee meeting. The original version of the bill sought to address VPK and school readiness through a series of new processes and infrastructure in the Department of Education. The changes in the bill attempt to align early learning education with K-20 education. The bill still puts the Office of Early Learning under the Department of Education, but now it also creates a vice chancellor of Early Learning and increases the number of members on the Council for Early Grade Success. Much like its former iteration, parts of this new bill are still addressing alternative models for providing cost of care. HB 419 is just one of many literacy and early education bills that we are seeing with similar goals. We will continue to monitor this bill and its comparisons to see which requirements and processes make it into law.

Required Instruction

Generating considerable debate this week on the House Education & Employment Committee

was [HB 545](#) relating to the way schools notify parents and gain consent to teach topics of reproductive health. Do we want parents to “opt in” or “opt out” of this area of instruction and how and when should they be allowed to preview curriculum material? This is a frequent topic of legislation, though changes to current law seldom pass both chambers. This year’s versions will be nearly identical if the Senate passes the amendment proposed for the Rules Committee next week.

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