



February 28, 2024

Honorable Kathleen Passidomo
President, Florida Senate
404 S. Monroe Street
Tallahassee, FL 32399-1100

Honorable Paul Renner
Speaker, The Florida House of Representatives
420 Capitol
Tallahassee, Florida 32399

Re: Written testimony in opposition to SB 1372/HB 1291: Educator Preparation Programs

Dear President Passidomo and Speaker Renner:

We write jointly as a nonpartisan coalition representing PEN America, the United Faculty of Florida, the Florida Education Association, the Foundation for Individual Rights

and Expression, Equality Florida, the American Federation of Teachers, the American Sociological Association, the American Civil Liberties Union of Florida, the American Historical Association, the Interfaith Alliance of Southwest Florida, the Unitarian Universalist Congregation of Miami, the Woodhull Freedom Foundation, Defending Rights & Dissent, Citizens for Truth and Justice in Education, the National Association of Diversity Officers in Higher Education, EducateUS, the National Council of Teachers in English, the Freedom to Read Foundation, the Florida Council of Churches, and People for the American Way to provide **written testimony of our opposition to SB 1372/HB 1291: Educator Preparation Programs (SB 1372/HB 1291)**. We urge the Florida legislature to vote no on SB 1372 and HB 1291 because of serious concerns that these bills are not constitutionally viable, are overly vague, and are examples of viewpoint discrimination that are contrary to free speech and expression.

SB 1372/HB 1291 contain the requirement that educator preparation programs at both public and private institutions cannot, among other things “include a curriculum or instruction that teaches identity politics” or “distort[s] significant historical events,” or “is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.” This language mirrors the provisions established in the Stop WOKE Act (2022) and s. 1000.05 of the Florida Statutes, which limit classroom instruction on race in Florida’s public schools, colleges and universities. The Stop WOKE Act was met swiftly with a lawsuit filed to challenge these provisions, in which federal judge [Mark E. Walker’s ruling](#) found that the Stop WOKE Act, in part, violated the First Amendment and prevented it from being implemented in higher education.

As the court found, this language is “positively dystopian. It should go without saying that ‘if liberty means anything at all it means the right to tell people what they do not want to hear.’” *Pernell v. Fla. Bd. of Governors of State Univ. Sys.*, 641 F. Supp. 3d 1218, 1230 (N.D. Fla. 2022). Judge Walker also stated that “the First Amendment does not permit the State of Florida to muzzle its university professors, impose its own orthodoxy of viewpoints, and cast us all into the dark.”

If passed, SB 1372/HB 1291 would incorporate these same discriminatory elements of the Stop WOKE Act into educator preparation programs, creating more confusion and chilling of speech. These First Amendment infringements target education students, who are desperately needed to address the [teacher shortage](#) in Florida. Reintroducing the language of a state law that is currently blocked by federal courts for being contrary to the First Amendment in SB 1372/HB 1291 signals a deep disregard for free expression principles in education.

Much of SB 1372/HB 1291 is intentionally vague. The bills fail to define “identity politics,” or what it means to “distort historical events.” This vagueness is sure to cause widespread chilling of speech among Florida educators, replacing academic freedom with a pervasive climate of fear. This chilling effect may in turn further exacerbate Florida’s severe teacher shortage, continuing to put students’ educations at risk.

The attacks on teacher training programs posited by SB 1372/HB 1291 would have a trickle-down effect on K-12 education, leaving students unprepared for a rigorous college curriculum and ill-equipped to compete with students and scholars across the nation for out-of-state opportunities. This bill could create a new generation of history teachers who are unsure how to teach material about slavery, the Civil Rights Movement, or women's suffrage, English and art teachers who are unable to discuss how an author's or artist's background and identity contributes to their work, and civics teachers unable to teach about the impacts of racism or sexism in America. SB 1372/HB 1291 is an extension of the larger trend of educational censorship legislation that restricts the freedom to learn and will lead to long-term damage to Florida's educational system. The ability of educators to discuss topics relevant to the subject matter that they teach, including those subjectively disfavored by state legislatures, must be protected.

This nonpartisan collective agrees that SB 1372 and HB 1291 will have a profound chilling effect on speech, run afoul of First Amendment protections, and stand to permanently damage academic freedom in Florida, much like their predecessor, the Stop WOKE Act. We urge the Florida Senate to reject SB 1372 and the House of Representatives to reject HB 1291..

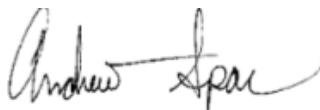
Sincerely,

A handwritten signature in black ink, appearing to read "Katie Blankenship".

Katie Blankenship
Director, PEN America Florida

A handwritten signature in blue ink, appearing to read "T M Hodge".

Teresa M. Hodge
President, United Faculty of Florida

A handwritten signature in black ink, appearing to read "Andrew Spar".

Andrew Spar
President, Florida Education Association



Tyler Coward
Lead Counsel, Government Affairs
Foundation for Individual Rights and Expression



Jon Harris Maurer
Public Policy Director, Equality Florida



Kara Gross,
Legislative Director, ACLU of Florida



Ricci Joy Levy
President & CEO, Woodhull Freedom Foundation



Sue Udry
Executive Director, Defending Rights & Dissent



Jaclyn Friedman
Founder & Executive Director, EducateUS



Deborah Caldwell-Stone
Executive Director,
Freedom to Read Foundation

Randi Weingarten
President, American Federation of Teachers

Sheila Zinkerman, Laurel Robinson
Co-founders Citizens for Truth and Justice in Education

James Grossman
Executive Director, American Historical Association

Rev. Dr. Sharon Harris-Ewing
Interfaith Alliance of Southwest Florida

Reverend Tom Capo
Minister
Unitarian Universalist Congregation of Miami

Nancy Kidd
Executive Director, American Sociological Association

Paulette Granberry Russell
President, National Association of Diversity Officers in
Higher Education

Emily Kirkpatrick
Executive Director, National Council of Teachers of
English

Rev. Dr. Russell L. Meyer
Executive Director
Florida Council of Churches

Marge Baker
Executive Vice President, People for the American Way

Cc: Members of the Florida Senate and Members of the Florida House of Representatives