Position Statement on
Florida’s CS/HB 1557 (Parental Rights in Education Bill) and CS/HB 7 (Individual Freedom Bill)

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Introduction

As an organization, IBPA believes in inclusivity and strives to create an environment that ensures people from diverse backgrounds feel safe and welcomed, and that all people can find themselves in the books that they read.

In the wake of two new Florida education bills, we acknowledge that holding our IBPA Publishing University 2022 conference in Orlando, Florida has created an unsafe feeling for some members of our community. For this reason, we believe it is important to publicly state our strong opposition to Florida bills CS/HB1557 (Parental Rights in Education Bill) and CS/HB 7 (Individual Freedom Bill).

IBPA Position on CS/HB 1557 (Parental Rights in Education Bill)

On Tuesday, March 8, 2022, the Florida state senate passed a bill (signed into law today, March 28, by Florida Governor Ron DeSantis) which we believe will have a negative impact on the LGBTQ+ community and on authors and publishers who create LGBTQ+ content for children and teens.
The new law will add the following to Florida Statue 1001.42(8)(c):

“Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in kindergarten through grade 3 or in a manner that is not age appropriate or developmentally appropriate for students in accordance with state standards.”

The full text of the bill can be found here.

Critics of the new language fear its vagueness will leave room for the law to eventually expand so that all grade levels will be seen as not “age appropriate.” In addition, the language effectively bans from Florida schools and school libraries most, if not all, books that include LGBTQ+ content, characters, and themes. Finally, the new law allows for legal action against teachers and schools who choose to read, discuss, or suggest LGBTQ+ books in their classrooms. As explained in this analysis by Ian Millhiser on Vox, “any parent could potentially sue their kid’s school district if a teacher even alludes to the concept of homosexuality in a classroom discussion. That’s likely going to terrorize teachers into avoiding discussions of sexual orientation and gender identity altogether.”

In a Trevor Project statement condemning the bill, Sam Ames, Director of Advocacy and Government Affairs at The Trevor Project, said, “The Trevor Project’s research has found that LGBTQ+ youth who learned about LGBTQ issues or people in classes at school had 23% lower odds of reporting a suicide attempt in the past year. This bill will erase young LGBTQ students across Florida, forcing many back into the closet by policing their identity and silencing important discussions about the issues they face.”

In 2021, We Need Diverse Books published an article stressing the importance of LGBTQ+ history in K-12 curriculum in which Sarah Prager stated:

“A requirement with no opt-out option is the only way for a more complete version of history to be taught. While the entire way we teach history needs an overhaul, at least including the basic fact that LGBTQ+ people existed throughout history needs to be a first step in the interim while we continue to dream bigger for the future.”

We understand that the language of CS/HB1557 frames the move as a student health issue and that Florida Governor Ron DeSantis has called it an issue of parent’s rights. We adamantly disagree with both framings and believe, instead, that the effects of the legislation will lead to a chilling silencing of the LGBTQ+ community’s point of view.

**IBPA Position on CS/HB 7 (Individual Freedom Bill)**

On Thursday, March 10, 2022, Florida’s legislature approved a bill titled the ‘Individual Freedom’ bill (currently waiting for Florida Governor Ron DeSantis’ signature) which we believe will have a negative impact on the way teachers are allowed to discuss race and racism in classrooms. In addition to banning teachers from participating in discussions which may lead a
student to believe in “specified concepts,” the bill also makes it illegal to require DEI training in any workplace, including schools.

The full text of the bill can be found [here](#).

Supporters of the bill claim it was written to protect students from feeling discriminated against based on their race and will help them avoid feelings of guilt due to their race. Opponents of the bill argue that, if passed into law, it would create an undue burden on teachers and enforce a censorship that bans open discussion on any topics relating to race and racism.

Additionally, as explained by [this analysis by Tyler Coward on FIRE’s (Foundation for Individual Rights in Education) blog](#), “students who are discriminated against in class can already use existing anti-discrimination law when a faculty member targets them on account of their race or sex, an approach that lacks overly burdensome bans on speech.”

In a Human Rights Campaign statement condemning this bill, Cathryn M. Oakley, State Legislative Director and Senior Counsel at the Human rights Campaign said, “This bill is a thinly veiled political attempt to attack marginalized communities. It doesn’t address the critical needs of Floridians, but instead, fuels the discriminatory agenda of extremist legislators. Let’s be clear — the negative consequences of the “Stop WOKE Act” will ripple across Florida. It will hurt the LGBTQ+ community, people of color, and women. Every historically marginalized population will be impacted by this legislation.”

In 2021, [School Library Journal](#) reported a rise in bans on antiracist books. In this article, author Ibram X. Kendi responds by saying the following about his own book Stamped: Racism, Antiracism, and You, "We must provide readers of all ages, races, backgrounds, and political affiliations with the tools to discuss racism today and to know America's racial story. We must end the indoctrination that this nation is post-racial and colorblind that adults impart onto young people when we don't discuss racism with them and challenge books that do.”

We understand that the language of CS/HB 7 implies a post-racial world in which systemic issues of race and sex no longer exist. While we vehemently disagree, we don’t argue with a person’s right to make such assertions. What we can’t understand, and strictly oppose, is any ban on defending the alternative point of view. As Tyler Coward further states on FIRE’s blog, “this sort of viewpoint-based discrimination is flatly unconstitutional.”

**IBPA Action at IBPA Publishing University 2022**

In addition to this statement, during the April 2022 IBPA Publishing University conference in Orlando, Florida, IBPA will collect donations for and sharing information from two Florida-based organizations working to mitigate and eventually stop the impact of these potential laws: [ACLU of Florida](#) and the [Zebra Coalition](#).