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**MEMORANDUM**

**TO:** Early Learning Coalition Executive Directors

**FROM:** Matthew H. Mears 

**DATE:** Sept. 8, 2022

**SUBJECT: House Bill 7, Individual Freedom**

House Bill 7 was signed by Governor DeSantis on April 22, 2022, and is effective July 1, 2022. While much of the bill pertains to K-12, there is a section of the bill that makes changes to Florida's Civil Rights Act dealing with unlawful employment practices. The section that applies broadly to these employment practices is the focus in this memorandum. In the bill, the Legislature acknowledges the fundamental truth that all persons are equal before the law and have inalienable rights. The bill specifies that subjecting individuals to specified concepts under certain circumstances constitutes discrimination based on race, color, sex, or national origin.

**Discrimination** (amends section [s.] 760.10, Florida Statutes [F.S.], Unlawful employment practices)

- Subjecting any individual, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels such individual to believe any of the following concepts constitutes discrimination based on race, color, sex, or national origin under this section:
  - Members of one race, color, sex, or national origin are morally superior to members of another race, color, sex, or national origin.
  - An individual, by virtue of his or her race, color, sex, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
  - An individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, sex, or national origin.
  - Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to race, color, sex, or national origin.
  - An individual, by virtue of his or her race, color, sex, or national origin, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, sex, or national origin.
  - An individual, by virtue of his or her race, color, sex, or national origin, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.

MATTHEW H. MEARS

CHANCELLOR, DIVISION OF EARLY LEARNING

- An individual, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the individual played no part, committed in the past by other members of the same race, color, sex, or national origin.
- Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin.
- Discussion of these concepts is not prohibited as part of a course of training or instruction, provided such training or instruction is given in an objective manner without endorsement of the concepts.

The Division shares this information to apprise early learning coalitions of recently effective updates to employment law. Thank you for your attention to and compliance with these important changes.

MM/ss