1 A bill to be entitled 2 An act relating to parental rights in education; 3 amending s. 1001.42, F.S.; requiring district school 4 boards to adopt procedures that comport with certain 5 provisions of law for notifying a student's parent of 6 specified information; requiring such procedures to 7 reinforce the fundamental right of parents to make 8 decisions regarding the upbringing and control of 9 their children in a specified manner; prohibiting the procedures from prohibiting a parent from accessing 10 11 certain records; providing construction; prohibiting a 12 school district from adopting procedures or student 13 support forms that require school district personnel 14 to withhold from a parent specified information or 15 that encourage or have the effect of encouraging a 16 student to withhold from a parent such information; 17 providing an exception; prohibiting school district 18 personnel from discouraging or prohibiting parental 19 notification and involvement in critical decisions affecting a student's mental, emotional, or physical 20 well-being; prohibiting a school district from 21 22 encouraging classroom discussion about sexual 23 orientation or gender identity in primary grade levels 24 or in a specified manner; authorizing a parent to bring an action against a school district to obtain a 25

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26	declaratory judgment that a school district procedure
27	or practice violates certain provisions of law;
28	providing for the additional award of injunctive
29	relief, damages, and reasonable attorney fees and
30	court costs to certain parents; requiring certain
31	training developed or provided by a school district to
32	adhere to standards established by the Department of
33	Education; requiring the department to review and
34	update, as necessary, specified materials by a certain
35	date; providing an effective date.
36	
37	Be It Enacted by the Legislature of the State of Florida:
38	
39	Section 1. Paragraph (c) is added to subsection (8) of
40	section 1001.42, Florida Statutes, to read:
41	1001.42 Powers and duties of district school boardThe
42	district school board, acting as a board, shall exercise all
43	powers and perform all duties listed below:
44	(8) STUDENT WELFARE.—
45	(c)1. In accordance with the rights of parents enumerated
46	in ss. 1002.20 and 1014.04, adopt procedures for notifying a
47	student's parent if there is a change in the student's services
48	or monitoring related to the student's mental, emotional, or
49	physical health or well-being and the school's ability to
50	provide a safe and supportive learning environment for the

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51	student. The procedures must reinforce the fundamental right of
52	parents to make decisions regarding the upbringing and control
53	of their children by requiring school district personnel to
54	encourage a student to discuss issues relating to his or her
55	well-being with his or her parent or to seek permission to
56	discuss or facilitate discussion of the issue with the parent.
57	The procedures must comply with s. 1002.22(2) and may not
58	prohibit a parent from accessing any of his or her minor child's
59	education records created, maintained, or used by the school
60	district. This paragraph does not limit or alter any obligation
61	of school district personnel to report suspected abuse,
62	abandonment, or neglect, as those terms are defined in s. 39.01.
63	2. A school district may not adopt procedures or student
64	support forms that require school district personnel to withhold
65	from a parent information about his or her student's mental,
66	emotional, or physical health or well-being, or a change in
67	related services or monitoring, or that encourage or have the
68	effect of encouraging a student to withhold from a parent such
69	information, unless a reasonably prudent person would believe
70	that such disclosure would result in abuse, abandonment, or
71	neglect, as those terms are defined in s. 39.01. School district
72	personnel may not discourage or prohibit parental notification
73	of and involvement in critical decisions affecting a student's
74	mental, emotional, or physical health or well-being.
75	3. A school district may not encourage classroom
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76	discussion about sexual orientation or gender identity in
77	primary grade levels or in a manner that is not age-appropriate
78	or developmentally appropriate for students.
79	4. A parent of a student may bring an action against a
80	school district to obtain a declaratory judgment that a school
81	district procedure or practice violates this paragraph and seek
82	injunctive relief. A court may award damages and shall award
83	reasonable attorney fees and court costs to a parent who
84	receives declaratory or injunctive relief.
85	5. Student support services training developed or provided
86	by a school district to school district personnel must adhere to
87	student services guidelines, standards, and frameworks
88	established by the Department of Education.
89	Section 2. By June 30, 2023, the Department of Education
90	shall review and update, as necessary, school counseling
91	frameworks and standards; educator practices and professional
92	conduct principles; and any other student services personnel
93	guidelines, standards, or frameworks in accordance with the
94	requirements of this act.
95	Section 3. This act shall take effect July 1, 2022.
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