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LEGISLATIVE ACTION

Senate

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House

The Committee on Education (Gruters) recommended the following:

Senate Amendment

Delete lines 89 - 216
and insert:

(d) The right, pursuant to s. 1002.20(13), to access and review all school records relating to the minor child.

(e) The right to make health care decisions for his or her minor child, unless otherwise prohibited by law.

(f) The right to access and review all medical records of the minor child, unless prohibited by law or if the parent is the subject of an investigation of a crime committed against the



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minor child and a law enforcement agency or official requests that the information not be released.

(g) The right to consent in writing before a biometric scan of the minor child is made, shared, or stored.

(h) The right to consent in writing before any record of his or her minor child's blood or deoxyribonucleic acid (DNA) is created, stored, or shared, except as required by general law or authorized pursuant to a court order.

(i) The right to consent in writing before the state or any of its political subdivisions makes a video or voice recording of his or her minor child, unless such recording is made during or as part of a court proceeding, is made by law enforcement or during a law enforcement investigation, is made as part of a forensic interview in a criminal or Department of Children and Families investigation, or to be used solely for the following purposes:

1. A safety demonstration, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles;

2. A purpose related to a legitimate academic or extracurricular activity;

3. A purpose related to regular classroom instructions;

4. Security or surveillance of buildings or grounds; or

5. A photo identification card.

(j) The right to be notified promptly if an employee of the state, any of its political subdivisions, any other governmental entity, or any other institution suspects that a criminal offense has been committed against his or her minor child, unless the incident has first been reported to law enforcement



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41 or the Department of Children and Families and notifying the
42 parent would impede the investigation.

43 (2) This section does not:

44 (a) Authorize a parent of a minor child in this state to
45 engage in conduct that is unlawful or to abuse or neglect his or
46 her minor child in violation of general law;

47 (b) Condone, authorize, approve, or apply to a parental
48 action or decision that would end life;

49 (c) Prohibit a court of competent jurisdiction, law
50 enforcement officer, or employees of a government agency that is
51 responsible for child welfare from acting in his or her official
52 capacity within the reasonable and prudent scope of his or her
53 authority; or

54 (d) Prohibit a court of competent jurisdiction from issuing
55 an order that is otherwise permitted by law.

56 (3) An employee of the state, any of its political
57 subdivisions, or any other governmental entity who encourages or
58 coerces, or attempts to encourage or coerce, a minor child to
59 withhold information from his or her parent may be subject to
60 disciplinary action. This subsection does not apply to law
61 enforcement personnel and Department of Children and Families
62 personnel acting within their official capacities.

63 (4) A parent of a minor child in this state has inalienable
64 rights that are more comprehensive than those listed in this
65 section, unless such rights have been legally waived or
66 terminated. This chapter does not prescribe all rights to a
67 parent of a minor child in this state. Unless required by law,
68 the rights of a parent of a minor child in this state may not be
69 limited or denied. This chapter may not be construed to apply to



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a parental action or decision that would end life.

Section 6. Section 1014.05, Florida Statutes, is created to read:

1014.05 School district notifications on parental rights.-

(1) Each district school board shall, in consultation with parents, teachers, and administrators, develop and adopt a policy to promote parental involvement in the public school system. Such policy must include:

(a) A plan, pursuant to s. 1002.23, for parental participation in schools to improve parent and teacher cooperation in such areas as homework, school attendance, and discipline.

(b) A procedure, pursuant to s. 1002.20(19)(b), for a parent to learn about his or her child's course of study, including the source of any supplemental education materials.

(c) Procedures for a parent to object to classroom materials and activities, pursuant to s. 1006.28(2)(a)2., and a process for withdrawing his or her student from the activity, class, or program in which such materials or activities are used. Such objections may be based on beliefs regarding morality, sex, and religion or the belief that such materials or activities are harmful.

(d) Procedures, pursuant to s. 1002.20(3)(d), for a parent to withdraw his or her student from any portion of the school district's comprehensive health education required under s. 1003.42(2)(n) that relates to sex education or instruction in acquired immune deficiency syndrome education or any instruction regarding sexuality if the parent provides a written objection to his or her child's participation. Such procedures must



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99 provide for a parent to be notified in advance of such course
100 content so that he or she may withdraw his or her student from
101 those portions of the course.

102 (e) Procedures, pursuant to s. 1006.195(1)(a), for a parent
103 to learn about the nature and purpose of clubs and activities
104 offered at his or her child's school, including those that are
105 extracurricular or part of the school curriculum.

106 (f) Procedures for a parent to learn about parental rights
107 and responsibilities under general law, including all of the
108 following:

109 1. Pursuant to s. 1002.20(3)(d), the right to opt his or
110 her minor child out of any portion of the school district's
111 comprehensive health education required under s. 1003.42(2)(n)
112 that relates to sex education instruction in acquired immune
113 deficiency syndrome education or any instruction regarding
114 sexuality.

115 2. A plan to disseminate information, pursuant to s.
116 1002.20(6), about school choice options, including open
117 enrollment.

118 3. In accordance with s. 1002.20(3)(b), the right of a
119 parent to exempt his or her student from immunizations.

120 4. In accordance with s. 1008.22, the right of a parent to
121 review statewide, standardized assessment results.

122 5. In accordance with s. 1003.57, the right of a parent to
123 enroll his or her student in gifted or special education
124 programs.

125 6. In accordance with s. 1006.28(2)(a)1., the right of a
126 parent to inspect school district instructional materials.

127 7. In accordance with s. 1008.25, the right of a parent to



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access information relating to the school district's policies
for promotion or retention, including high school graduation
requirements.

8. In accordance with s. 1002.20(14), the right of a parent
to receive a school report card and be informed of his or her
child's attendance requirements.

9. In accordance with s. 1002.23, the right of a parent to
access information relating to the state public education
system, state standards, report card requirements, attendance
requirements, and instructional materials requirements.

10. In accordance with s. 1002.23(4), the right of a parent
to participate in parent-teacher associations and organizations
that are sanctioned by a district school board or the Department
of Education.

11. In accordance with s. 1002.222(1)(a), the right of a
parent to opt out of any district-level