

1 A bill to be entitled

2 An act relating to involuntary examinations of minors;
3 amending ss. 381.0056, 1002.20, and 1002.33, F.S.;
4 revising certain notification requirements that must
5 be met before removing a minor from school, school
6 transportation, or a school-sponsored activity for an
7 involuntary examination; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Paragraph (a) of subsection (4) of section
12 381.0056, Florida Statutes, is amended to read:

13 381.0056 School health services program.—

14 (4) (a) Each county health department shall develop,
15 jointly with the district school board and the local school
16 health advisory committee, a school health services plan. The
17 plan must include, at a minimum, provisions for all of the
18 following:

- 19 1. Health appraisal;
- 20 2. Records review;
- 21 3. Nurse assessment;
- 22 4. Nutrition assessment;
- 23 5. A preventive dental program;
- 24 6. Vision screening;
- 25 7. Hearing screening;

- 26 | 8. Scoliosis screening;
- 27 | 9. Growth and development screening;
- 28 | 10. Health counseling;
- 29 | 11. Referral and followup of suspected or confirmed health
- 30 | problems by the local county health department;
- 31 | 12. Meeting emergency health needs in each school;
- 32 | 13. County health department personnel to assist school
- 33 | personnel in health education curriculum development;
- 34 | 14. Referral of students to appropriate health treatment,
- 35 | in cooperation with the private health community whenever
- 36 | possible;
- 37 | 15. Consultation with a student's parent or guardian
- 38 | regarding the need for health attention by the family physician,
- 39 | dentist, or other specialist when definitive diagnosis or
- 40 | treatment is indicated;
- 41 | 16. Maintenance of records on incidents of health
- 42 | problems, corrective measures taken, and such other information
- 43 | as may be needed to plan and evaluate health programs; except,
- 44 | however, that provisions in the plan for maintenance of health
- 45 | records of individual students must be in accordance with s.
- 46 | 1002.22;
- 47 | 17. Health information which will be provided by the
- 48 | school health nurses, when necessary, regarding the placement of
- 49 | students in exceptional student programs and the reevaluation at
- 50 | periodic intervals of students placed in such programs;

51 18. Notification to the local nonpublic schools of the
 52 school health services program and the opportunity for
 53 representatives of the local nonpublic schools to participate in
 54 the development of the cooperative health services plan; and

55 19. A reasonable attempt of ~~Immediate~~ notification to a
 56 student's parent, guardian, or caregiver before ~~if~~ the student
 57 is removed from school, school transportation, or a school-
 58 sponsored activity and taken to a receiving facility for an
 59 involuntary examination pursuant to s. 394.463, including the
 60 requirements established under ss. 1002.20(3) and 1002.33(9), as
 61 applicable.

62 Section 2. Paragraph (1) of subsection (3) of section
 63 1002.20, Florida Statutes, is amended to read:

64 1002.20 K-12 student and parent rights.—Parents of public
 65 school students must receive accurate and timely information
 66 regarding their child's academic progress and must be informed
 67 of ways they can help their child to succeed in school. K-12
 68 students and their parents are afforded numerous statutory
 69 rights including, but not limited to, the following:

70 (3) HEALTH ISSUES.—

71 (1) Notification of involuntary examinations.—The public
 72 school principal or the principal's designee shall make a
 73 reasonable attempt to ~~immediately~~ notify the parent of a student
 74 before the student ~~who~~ is removed from school, school
 75 transportation, or a school-sponsored activity and taken to a

76 receiving facility for an involuntary examination pursuant to s.
77 394.463. The principal or the principal's designee may delay the
78 required notification for no more than 24 hours after the
79 student is removed if the principal or the principal's designee
80 deems the delay to be in the student's best interest and ~~if~~ a
81 report has been submitted to the central abuse hotline, pursuant
82 to s. 39.201, based upon knowledge or suspicion of abuse,
83 abandonment, or neglect. Before a principal or his or her
84 designee contacts a law enforcement officer, he or she must
85 verify that deescalation ~~de-escalation~~ strategies have been
86 utilized and outreach to a mobile response team has been
87 initiated unless the principal or the principal's designee
88 reasonably believes that any delay in removing the student will
89 increase the likelihood of harm to the student or others. This
90 requirement does not supersede the authority of a law
91 enforcement officer to act under s. 394.463. Each district
92 school board shall develop a policy and procedures for
93 notification under this paragraph.

94 Section 3. Paragraph (q) of subsection (9) of section
95 1002.33, Florida Statutes, is amended to read:

96 1002.33 Charter schools.—

97 (9) CHARTER SCHOOL REQUIREMENTS.—

98 (q) The charter school principal or the principal's
99 designee shall make a reasonable attempt to ~~immediately~~ notify
100 the parent of a student before the student ~~who~~ is removed from

101 school, school transportation, or a school-sponsored activity
102 and taken to a receiving facility for an involuntary examination
103 pursuant to s. 394.463. The principal or the principal's
104 designee may delay the required notification for no more than 24
105 hours after the student is removed if the principal or the
106 principal's designee deems the delay to be in the student's best
107 interest and ~~if~~ a report has been submitted to the central abuse
108 hotline, pursuant to s. 39.201, based upon knowledge or
109 suspicion of abuse, abandonment, or neglect. Before a principal
110 or his or her designee contacts a law enforcement officer, he or
111 she must verify that deescalation ~~de-escalation~~ strategies have
112 been utilized and outreach to a mobile response team has been
113 initiated unless the principal or the principal's designee
114 reasonably believes that any delay in removing the student will
115 increase the likelihood of harm to the student or others. This
116 requirement does not supersede the authority of a law
117 enforcement officer to act under s. 394.463. Each charter school
118 governing board shall develop a policy and procedures for
119 notification under this paragraph.

120 Section 4. This act shall take effect July 1, 2021.