Senator Gibson moved the following:

**Senate Amendment (with title amendment)**

Delete lines 102 - 162 and insert:

4. At the beginning of the school year, each school district shall notify parents of each health care service offered at their student’s school and the option to withhold consent or decline any specific service. Parental consent to a health care service does not waive the parent’s right to access his or her student’s educational or health records or to be notified about a change in his or her student’s services or
monitoring as provided by this paragraph.

5. Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the school district must provide the questionnaire or health screening form to the parent and obtain the permission of the parent.

6. Each school district shall adopt procedures for a parent to notify the principal, or his or her designee, regarding concerns under this paragraph at his or her student’s school and the process for resolving those concerns within 7 calendar days after notification by the parent.

   a. At a minimum, the procedures must require that within 30 days after notification by the parent that the concern remains unresolved, the school district must either resolve the concern or provide a statement of the reasons for not resolving the concern.

   b. If a concern is not resolved by the school district, a parent may:

      (I) Request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years’ experience in administrative law. The special magistrate shall determine facts relating to the dispute over the school district procedure or practice, consider information provided by the school district, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30
days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the school district. The State Board of Education shall adopt rules, including forms, necessary to implement this sub-sub-subparagraph.

(II) Bring an action against the school district to obtain a declaratory judgment that the school district procedure or practice violates this paragraph and seek injunctive relief. A court may award damages and shall award reasonable attorney fees and court costs to a parent who receives declaratory or injunctive relief.

c. Each school district shall adopt policies to notify parents of the procedures required under this subparagraph.

d. Nothing contained in this subparagraph shall be construed to abridge or alter rights of action or remedies in equity already existing under the common law or general law.

==================== T I T L E A M E N D M E N T =====================

And the title is amended as follows:

Delete lines 24 - 56

and insert:

requiring school districts to notify parents of health care services and provide parents the opportunity to consent or decline such services; providing that a specified parental consent does not wave certain parental rights; requiring school districts to provide parents with certain questionnaires or health screening forms and obtain parental permission before administering such questionnaires and forms; requiring
school districts to adopt certain procedures for
resolving specified parental concerns; requiring
resolution within a specified timeframe; requiring the
Commissioner of Education to appoint a special
magistrate for unresolved concerns; providing
requirements for the special magistrate; requiring the
State Board of Education to approve or reject the
special magistrate’s recommendation within specified
timeframe; requiring school districts to bear the
costs of the special magistrate; requiring the State
Board of Education to adopt rules; providing
requirements for such rules; authorizing a parent to
bring an action against a school district to obtain a
declaratory judgment that a school district procedure
or practice violates certain provisions of law;
providing for the additional award of injunctive
relief, damages, and reasonable attorney fees and
court costs to certain parents; requiring school
districts to adopt policies to notify parents of
certain rights; providing construction; providing an