

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Harding offered the following:

**Amendment (with title amendment)**

Remove lines 105-110 and insert:

7. 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

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13 concern or provide a statement of the reasons for not resolving  
14 the concern.

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

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

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

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

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

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

46 Remove lines 34-40 and insert:  
47 questionnaires and forms; requiring school districts  
48 to adopt certain procedures for resolving specified  
49 parental concerns; requiring resolution within a  
50 specified timeframe; requiring the Commissioner of  
51 Education to appoint a special magistrate for  
52 unresolved concerns; providing requirements for the  
53 special magistrate; requiring the State Board of  
54 Education to approve or reject the special  
55 magistrate's recommendation within specified  
56 timeframe; requiring school districts to bear the  
57 costs of the special magistrate; requiring the State  
58 Board of Education to adopt rules; providing  
59 requirements for such rules; authorizing a parent to  
60 bring an action against a school district to obtain a  
61 declaratory judgment that a school district procedure  
62 or practice violates certain provisions of law;

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63 providing for the additional award of injunctive  
64 relief, damages, and reasonable attorney fees and  
65 court costs to certain parents; requiring school  
66 district to adopt policies to notify parents of  
67 certain rights; providing construction; requiring the

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