HB 1557

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

CODING: Words *stricken* are deletions; words *underlined* are additions.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) is added to subsection (8) of section 1001.42, Florida Statutes, to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(8) STUDENT WELFARE.—

(c)1. In accordance with the rights of parents enumerated in ss. 1002.20 and 1014.04, adopt procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the
student. The procedures must reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children by requiring school district personnel to encourage a student to discuss issues relating to his or her well-being with his or her parent or to seek permission to discuss or facilitate discussion of the issue with the parent. The procedures must comply with s. 1002.22(2) and may not prohibit a parent from accessing any of his or her minor child's education records created, maintained, or used by the school district. This paragraph does not limit or alter any obligation of school district personnel to report suspected abuse, abandonment, or neglect, as those terms are defined in s. 39.01.

2. A school district may not adopt procedures or student support forms that require school district personnel to withhold from a parent information about his or her student's mental, emotional, or physical health or well-being, or a change in related services or monitoring, or that encourage or have the effect of encouraging a student to withhold from a parent such information, unless a reasonably prudent person would believe that such disclosure would result in abuse, abandonment, or neglect, as those terms are defined in s. 39.01. School district personnel may not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being.

3. A school district may not encourage classroom
discussion about sexual orientation or gender identity in 
primary grade levels or in a manner that is not age-appropriate 
or developmentally appropriate for students.

4. A parent of a student may bring an action against a 
school district to obtain a declaratory judgment that a 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.

5. Student support services training developed or provided 
by a school district to school district personnel must adhere to 
student services guidelines, standards, and frameworks 
established by the Department of Education.

Section 2. By June 30, 2023, the Department of Education 
shall review and update, as necessary, school counseling 
frameworks and standards; educator practices and professional 
conduct principles; and any other student services personnel 
guidelines, standards, or frameworks in accordance with the 
requirements of this act.

Section 3. This act shall take effect July 1, 2022.