



26 declaratory judgment that a school district procedure  
 27 or practice violates certain provisions of law;  
 28 providing for the additional award of injunctive  
 29 relief, damages, and reasonable attorney fees and  
 30 court costs to certain parents; requiring certain  
 31 training developed or provided by a school district to  
 32 adhere to standards established by the Department of  
 33 Education; requiring the department to review and  
 34 update, as necessary, specified materials by a certain  
 35 date; providing an effective date.

36  
 37 Be It Enacted by the Legislature of the State of Florida:

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

41 1001.42 Powers and duties of district school board.—The  
 42 district school board, acting as a board, shall exercise all  
 43 powers and perform all duties listed below:

44 (8) STUDENT WELFARE.—

45 (c)1. In accordance with the rights of parents enumerated  
 46 in ss. 1002.20 and 1014.04, adopt procedures for notifying a  
 47 student's parent if there is a change in the student's services  
 48 or monitoring related to the student's mental, emotional, or  
 49 physical health or well-being and the school's ability to  
 50 provide a safe and supportive learning environment for the

51 student. The procedures must reinforce the fundamental right of  
52 parents to make decisions regarding the upbringing and control  
53 of their children by requiring school district personnel to  
54 encourage a student to discuss issues relating to his or her  
55 well-being with his or her parent or to seek permission to  
56 discuss or facilitate discussion of the issue with the parent.  
57 The procedures must comply with s. 1002.22 (2) and may not  
58 prohibit a parent from accessing any of his or her minor child's  
59 education records created, maintained, or used by the school  
60 district. This paragraph does not limit or alter any obligation  
61 of school district personnel to report suspected abuse,  
62 abandonment, or neglect, as those terms are defined in s. 39.01.

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

75 3. A school district may not encourage classroom

76 discussion about sexual orientation or gender identity in  
77 primary grade levels or in a manner that is not age-appropriate  
78 or developmentally appropriate for students.

79 4. A parent of a student may bring an action against a  
80 school district to obtain a declaratory judgment that a school  
81 district procedure or practice violates this paragraph and seek  
82 injunctive relief. A court may award damages and shall award  
83 reasonable attorney fees and court costs to a parent who  
84 receives declaratory or injunctive relief.

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

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

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