

1                   A bill to be entitled  
2           An act relating to parental rights in education;  
3           amending s. 1001.42, F.S.; requiring district school  
4           boards to adopt procedures that comport with certain  
5           provisions of law for notifying a student's parent of  
6           specified information; requiring such procedures to  
7           reinforce the fundamental right of parents to make  
8           decisions regarding the upbringing and control of  
9           their children in a specified manner; prohibiting the  
10          procedures from prohibiting a parent from accessing  
11          certain records; providing construction; prohibiting a  
12          school district from adopting procedures or student  
13          support forms that prohibit school district personnel  
14          from notifying a parent about specified information or  
15          that encourage or have the effect of encouraging a  
16          student to withhold from a parent such information;  
17          prohibiting school district personnel from  
18          discouraging or prohibiting parental notification and  
19          involvement in critical decisions affecting a  
20          student's mental, emotional, or physical well-being;  
21          providing construction; prohibiting a school district  
22          from encouraging classroom discussion about sexual  
23          orientation or gender identity in primary grade levels  
24          or in a specified manner; authorizing a parent to  
25          bring an action against a school district to obtain a

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:

38  
 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 prohibit school district personnel from  
65 notifying a parent about his or her student's mental, emotional,  
66 or physical health or well-being, or a change in related  
67 services or monitoring, or that encourage or have the effect of  
68 encouraging a student to withhold from a parent such  
69 information. School district personnel may not discourage or  
70 prohibit parental notification of and involvement in critical  
71 decisions affecting a student's mental, emotional, or physical  
72 health or well-being. This subparagraph does not prohibit a  
73 school district from adopting procedures that permit school  
74 personnel to withhold such information from a parent if a  
75 reasonably prudent person would believe that disclosure would

76 result in abuse, abandonment, or neglect, as those terms are  
77 defined in s. 39.01.

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

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

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

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

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