

1 A bill to be entitled

2 An act relating to involuntary examinations of minors;
3 amending ss. 381.0056, 1002.20, and 1002.33, F.S.;
4 revising certain notification requirements that must
5 be met before removing a minor from school, school
6 transportation, or a school-sponsored activity for an
7 involuntary examination; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Paragraph (a) of subsection (4) of section
12 381.0056, Florida Statutes, is amended to read:

13 381.0056 School health services program.—

14 (4) (a) Each county health department shall develop,
15 jointly with the district school board and the local school
16 health advisory committee, a school health services plan. The
17 plan must include, at a minimum, provisions for all of the
18 following:

- 19 1. Health appraisal;
- 20 2. Records review;
- 21 3. Nurse assessment;
- 22 4. Nutrition assessment;
- 23 5. A preventive dental program;
- 24 6. Vision screening;
- 25 7. Hearing screening;

- 26 | 8. Scoliosis screening;
- 27 | 9. Growth and development screening;
- 28 | 10. Health counseling;
- 29 | 11. Referral and followup of suspected or confirmed health
- 30 | problems by the local county health department;
- 31 | 12. Meeting emergency health needs in each school;
- 32 | 13. County health department personnel to assist school
- 33 | personnel in health education curriculum development;
- 34 | 14. Referral of students to appropriate health treatment,
- 35 | in cooperation with the private health community whenever
- 36 | possible;
- 37 | 15. Consultation with a student's parent or guardian
- 38 | regarding the need for health attention by the family physician,
- 39 | dentist, or other specialist when definitive diagnosis or
- 40 | treatment is indicated;
- 41 | 16. Maintenance of records on incidents of health
- 42 | problems, corrective measures taken, and such other information
- 43 | as may be needed to plan and evaluate health programs; except,
- 44 | however, that provisions in the plan for maintenance of health
- 45 | records of individual students must be in accordance with s.
- 46 | 1002.22;
- 47 | 17. Health information which will be provided by the
- 48 | school health nurses, when necessary, regarding the placement of
- 49 | students in exceptional student programs and the reevaluation at
- 50 | periodic intervals of students placed in such programs;

51 18. Notification to the local nonpublic schools of the
52 school health services program and the opportunity for
53 representatives of the local nonpublic schools to participate in
54 the development of the cooperative health services plan; and

55 19. ~~Immediate~~ Notification to a student's parent,
56 guardian, or caregiver before ~~if~~ the student is removed from
57 school, school transportation, or a school-sponsored activity
58 and taken to a receiving facility for an involuntary examination
59 pursuant to s. 394.463, including the requirements established
60 under ss. 1002.20(3) and 1002.33(9), as applicable.

61 Section 2. Paragraph (1) of subsection (3) of section
62 1002.20, Florida Statutes, is amended to read:

63 1002.20 K-12 student and parent rights.—Parents of public
64 school students must receive accurate and timely information
65 regarding their child's academic progress and must be informed
66 of ways they can help their child to succeed in school. K-12
67 students and their parents are afforded numerous statutory
68 rights including, but not limited to, the following:

69 (3) HEALTH ISSUES.—

70 (1) *Notification of involuntary examinations.*—The public
71 school principal or the principal's designee shall ~~immediately~~
72 notify the parent of a student before the student ~~who~~ is removed
73 from school, school transportation, or a school-sponsored
74 activity and taken to a receiving facility for an involuntary
75 examination pursuant to s. 394.463. The principal or the

76 principal's designee may delay the required notification for no
 77 more than 24 hours after the student is removed if the principal
 78 or the principal's designee deems the delay to be in the
 79 student's best interest and ~~if~~ a report has been submitted to
 80 the central abuse hotline, pursuant to s. 39.201, based upon
 81 knowledge or suspicion of abuse, abandonment, or neglect. Before
 82 a principal or his or her designee contacts a law enforcement
 83 officer, he or she must verify that deescalation ~~de-escalation~~
 84 strategies have been utilized and outreach to a mobile response
 85 team has been initiated unless the principal or the principal's
 86 designee reasonably believes that any delay in removing the
 87 student will increase the likelihood of harm to the student or
 88 others. This requirement does not supersede the authority of a
 89 law enforcement officer to act under s. 394.463. Each district
 90 school board shall develop a policy and procedures for
 91 notification under this paragraph.

92 Section 3. Paragraph (q) of subsection (9) of section
 93 1002.33, Florida Statutes, is amended to read:

94 1002.33 Charter schools.—

95 (9) CHARTER SCHOOL REQUIREMENTS.—

96 (q) The charter school principal or the principal's
 97 designee shall ~~immediately~~ notify the parent of a student before
 98 the student ~~who~~ is removed from school, school transportation,
 99 or a school-sponsored activity and taken to a receiving facility
 100 for an involuntary examination pursuant to s. 394.463. The

101 principal or the principal's designee may delay the required
102 notification for no more than 24 hours after the student is
103 removed if the principal or the principal's designee deems the
104 delay to be in the student's best interest and ~~if~~ a report has
105 been submitted to the central abuse hotline, pursuant to s.
106 39.201, based upon knowledge or suspicion of abuse, abandonment,
107 or neglect. Before a principal or his or her designee contacts a
108 law enforcement officer, he or she must verify that deescalation
109 ~~de-escalation~~ strategies have been utilized and outreach to a
110 mobile response team has been initiated unless the principal or
111 the principal's designee reasonably believes that any delay in
112 removing the student will increase the likelihood of harm to the
113 student or others. This requirement does not supersede the
114 authority of a law enforcement officer to act under s. 394.463.
115 Each charter school governing board shall develop a policy and
116 procedures for notification under this paragraph.

117 Section 4. This act shall take effect July 1, 2021.