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CS/CS/HB 545

2021 Legislature

1  
 2 An act relating to reproductive health and disease  
 3 education; amending s. 1002.20, F.S.; requiring each  
 4 school district to publish a notice on the district's  
 5 website concerning a parent's right to exempt a  
 6 student from reproductive health and disease  
 7 education; amending s. 1003.42, F.S.; requiring  
 8 district school boards to annually approve  
 9 instructional materials relating to reproductive  
 10 health and disease education in an open, noticed  
 11 public meeting; requiring each school district to  
 12 publish a notice on the district's website concerning  
 13 a parent's right to exempt a student from reproductive  
 14 health and disease education; amending s. 1006.40,  
 15 F.S.; specifying that reproductive health and disease  
 16 education instructional materials are to be made  
 17 available for public review and comment under a  
 18 specific process; providing an effective date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

21  
 22 Section 1. Paragraph (d) of subsection (3) of section  
 23 1002.20, Florida Statutes, is amended to read:

24 1002.20 K-12 student and parent rights.—Parents of public  
 25 school students must receive accurate and timely information

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26 regarding their child's academic progress and must be informed  
27 of ways they can help their child to succeed in school. K-12  
28 students and their parents are afforded numerous statutory  
29 rights including, but not limited to, the following:

30 (3) HEALTH ISSUES.—

31 (d) Reproductive health and disease education.—A public  
32 school student whose parent makes written request to the school  
33 principal shall be exempted from the teaching of reproductive  
34 health or any disease, including HIV/AIDS, in accordance with  
35 ~~the provisions of s. 1003.42(3).~~ Each school district shall, on  
36 the district's website homepage, notify parents of this right  
37 and the process to request an exemption. The homepage must  
38 include a link for a student's parent to access and review the  
39 instructional materials, as defined in s. 1006.29(2), used to  
40 teach the curriculum.

41 Section 2. Subsections (1) and (3) of section 1003.42,  
42 Florida Statutes, are amended to read:

43 1003.42 Required instruction.—

44 (1) (a) Each district school board shall provide all  
45 courses required for middle grades promotion, high school  
46 graduation, and appropriate instruction designed to ensure that  
47 students meet State Board of Education adopted standards in the  
48 following subject areas: reading and other language arts,  
49 mathematics, science, social studies, foreign languages, health  
50 and physical education, and the arts. The state board must

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51 remove a middle grades course in the Course Code Directory that  
52 does not fully integrate all appropriate curricular content  
53 required by s. 1003.41 and may approve a new course only if it  
54 meets the required curricular content.

55 (b) All instructional materials, as defined in s.  
56 1006.29(2), used to teach reproductive health or any disease,  
57 including HIV/AIDS, its symptoms, development, and treatment, as  
58 part of the courses referenced in subsection (3), must be  
59 annually approved by a district school board in an open, noticed  
60 public meeting.

61 (3) Any student whose parent makes written request to the  
62 school principal shall be exempted from the teaching of  
63 reproductive health or any disease, including HIV/AIDS, its  
64 symptoms, development, and treatment. A student so exempted may  
65 not be penalized by reason of that exemption. Course  
66 descriptions for comprehensive health education shall not  
67 interfere with the local determination of appropriate curriculum  
68 which reflects local values and concerns. Each school district  
69 shall, on the district's website homepage, notify parents of  
70 this right and the process to request an exemption. The homepage  
71 must include a link for a student's parent to access and review  
72 the instructional materials, as defined in s. 1006.29(2), used  
73 to teach the curriculum.

74 Section 3. Paragraph (b) of subsection (4) of section  
75 1006.40, Florida Statutes, is amended to read:

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76 | 1006.40 Use of instructional materials allocation;  
77 | instructional materials, library books, and reference books;  
78 | repair of books.—

79 | (4) Each district school board is responsible for the  
80 | content of all materials used in a classroom or otherwise made  
81 | available to students. Each district school board shall adopt  
82 | rules, and each district school superintendent shall implement  
83 | procedures, that:

84 | (b) Provide a process for public review of, public comment  
85 | on, and the adoption of instructional materials, including  
86 | instructional materials used to teach reproductive health or any  
87 | disease, including HIV/AIDS, under ss. 1003.42(3) and 1003.46,  
88 | which ~~that~~ satisfies the requirements of s. 1006.283(2)(b)8.,  
89 | 9., and 11.

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