

By the Committee on Education; and Senator Gruters

581-02281-22

20221294c1

1 A bill to be entitled
2 An act relating to individual education plan meetings;
3 amending s. 1002.20, F.S.; authorizing a parent of a
4 public school student to audio or video record any
5 meeting with his or her child's individual education
6 plan (IEP) team; requiring the parent to notify the
7 school district in writing a specified time in advance
8 of his or her intent to record the meeting;
9 prohibiting a parent or any other individual in
10 possession of such audio or video recording from
11 publicly sharing its contents without the consent of
12 all recorded parties; providing an exception; amending
13 s. 1014.04, F.S.; providing that parents have the
14 right to audio or video record meetings with their
15 child's IEP team; providing an effective date.

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

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19 Section 1. Paragraph (c) is added to subsection (21) of
20 section 1002.20, Florida Statutes, to read:

21 1002.20 K-12 student and parent rights.—Parents of public
22 school students must receive accurate and timely information
23 regarding their child's academic progress and must be informed
24 of ways they can help their child to succeed in school. K-12
25 students and their parents are afforded numerous statutory
26 rights including, but not limited to, the following:

27 (21) PARENTAL INPUT AND MEETINGS.—

28 (c)1. IEP meetings.—Notwithstanding s. 934.03 and subject
29 to the protections provided in the Family Educational Rights and

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30 Privacy Act of 1974, 20 U.S.C. s. 1232g, and ss. 1002.22 and
31 1002.225, a parent of a public school student may audio or video
32 record any meeting with his or her child's IEP team, provided
33 that the parent notifies the school district in writing of his
34 or her intent to record the meeting at least 24 hours before the
35 meeting.

36 2. A parent or any other individual in possession of an
37 audio or video recording authorized by this paragraph or s.
38 1014.04(1)(k) may not publicly share its contents without the
39 consent of all recorded parties. This paragraph does not
40 prohibit a party from using an audio or video recording as
41 evidence during a legal proceeding, a mediation, an
42 administrative proceeding, or other grievance process authorized
43 by the Individuals with Disabilities Education Act.

44 Section 2. Paragraph (k) is added to subsection (1) of
45 section 1014.04, Florida Statutes, to read:

46 1014.04 Parental rights.—

47 (1) All parental rights are reserved to the parent of a
48 minor child in this state without obstruction or interference
49 from the state, any of its political subdivisions, any other
50 governmental entity, or any other institution, including, but
51 not limited to, all of the following rights of a parent of a
52 minor child in this state:

53 (k) The right, pursuant to s. 1002.20(21)(c), to audio or
54 video record meetings with his or her child's individual
55 education plan (IEP) team.

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