

1                                   A bill to be entitled  
 2           An act relating to individual education plans;  
 3           amending s. 1003.5716, F.S.; requiring individual  
 4           education plans for certain students to contain  
 5           information and instruction on certain legal rights  
 6           and responsibilities that transfer to students at the  
 7           age of 18; requiring such information to include ways  
 8           in which a student may provide informed consent to  
 9           allow his or her parent to continue to participate in  
 10          his or her educational decisions; requiring the State  
 11          Board of Education to adopt rules; providing an  
 12          effective date.

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

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 16           Section 1. Subsection (1) of section 1003.5716, Florida  
 17           Statutes, is amended to read:

18           1003.5716 Transition to postsecondary education and career  
 19           opportunities.—All students with disabilities who are 3 years of  
 20           age to 21 years of age have the right to a free, appropriate  
 21           public education. As used in this section, the term "IEP" means  
 22           individual education plan.

23           (1) To ensure quality planning for a successful transition  
 24           of a student with a disability to postsecondary education and  
 25           career opportunities, during the student's seventh grade year or

26 | when the student attains the age of 12, whichever occurs first,  
 27 | an IEP team shall begin the process of, and develop an IEP for,  
 28 | identifying the need for transition services before the student  
 29 | with a disability enters high school or attains the age of 14  
 30 | years, whichever occurs first, in order for his or her  
 31 | postsecondary goals and career goals to be identified. The plan  
 32 | must be operational and in place to begin implementation on the  
 33 | first day of the student's first year in high school. This  
 34 | process must include, but is not limited to:

35 |       (a) Consideration of the student's need for instruction in  
 36 | the area of self-determination and self-advocacy to assist the  
 37 | student's active and effective participation in an IEP meeting;

38 |       (b) Preparation for the student to graduate from high  
 39 | school with a standard high school diploma pursuant to s.  
 40 | 1003.4282 with a Scholar designation unless the parent chooses a  
 41 | Merit designation; ~~and~~

42 |       (c) Provision of the information to the student and his or  
 43 | her parent of the school district's high school-level transition  
 44 | services, career and technical education, and collegiate  
 45 | programs available to students with disabilities and how to  
 46 | access such programs. Information shall also be provided on  
 47 | school-based transition programs and programs and services  
 48 | available through Florida's Center for Students with Unique  
 49 | Abilities, the Florida Centers for Independent Living, the  
 50 | Division of Vocational Rehabilitation, the Agency for Persons

51 with Disabilities, and the Division of Blind Services. Referral  
52 forms, links, and technical support contacts for these services  
53 must be provided to students and parents at IEP meetings; and

54 (d) At least 1 year before the student reaches the age of  
55 majority, provision of information and instruction to the  
56 student and his or her parent on self-determination and the  
57 legal rights and responsibilities regarding the educational  
58 decisions that transfer to the student upon attaining the age of  
59 18. The information must include the ways in which the student  
60 may provide informed consent to allow his or her parent to  
61 continue to participate in educational decisions, including:

62 1. Informed consent to grant permission to access  
63 confidential records protected under the Family Educational  
64 Rights and Privacy Act (FERPA) as provided in s. 1002.22.

65 2. Powers of attorney as provided in chapter 709.

66 3. Guardian advocacy as provided in s. 393.12.

67 4. Guardianship as provided in chapter 744.

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69 The State Board of Education shall adopt rules to administer  
70 this paragraph.

71 Section 2. This act shall take effect July 1, 2023.