

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
 11 Department 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, and subsection (5) is added to that
 18 section, to read:

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

24 (1) To ensure quality planning for a successful transition
 25 of a student with a disability to postsecondary education and

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

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

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

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

51 | Division of Vocational Rehabilitation, the Agency for Persons
52 | with Disabilities, and the Division of Blind Services. Referral
53 | forms, links, and technical support contacts for these services
54 | must be provided to students and parents at IEP meetings; and
55 | (d) At least 1 year before the student reaches the age of
56 | majority, provision of information and instruction to the
57 | student and his or her parent on self-determination and the
58 | legal rights and responsibilities regarding the educational
59 | decisions that transfer to the student upon attaining the age of
60 | 18. The information must include the ways in which the student
61 | may provide informed consent to allow his or her parent to
62 | continue to participate in educational decisions, including:
63 | 1. Informed consent to grant permission to access
64 | confidential records protected under the Family Educational
65 | Rights and Privacy Act (FERPA) as provided in s. 1002.22.
66 | 2. Powers of attorney as provided in chapter 709.
67 | 3. Guardian advocacy as provided in s. 393.12.
68 | 4. Guardianship as provided in chapter 744.
69 | (5) The Department of Education shall adopt rules to
70 | administer this section.
71 | Section 2. This act shall take effect July 1, 2023.