

By Senator Simon

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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; providing an
11 effective date.

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

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15 Section 1. Paragraphs (b) and (c) of subsection (1) of
16 section 1003.5716, Florida Statutes, are amended, and paragraph
17 (d) is added to subsection (1) of that section, 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

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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 (b) Preparation for the student to graduate from high
36 school with a standard high school diploma pursuant to s.
37 1003.4282 with a Scholar designation unless the parent chooses a
38 Merit designation; ~~and~~

39 (c) Provision of the information to the student and his or
40 her parent of the school district's high school-level transition
41 services, career and technical education, and collegiate
42 programs available to students with disabilities and how to
43 access such programs. Information shall also be provided on
44 school-based transition programs and programs and services
45 available through Florida's Center for Students with Unique
46 Abilities, the Florida Centers for Independent Living, the
47 Division of Vocational Rehabilitation, the Agency for Persons
48 with Disabilities, and the Division of Blind Services. Referral
49 forms, links, and technical support contacts for these services
50 must be provided to students and parents at IEP meetings; and

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

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- 59 1. Informed consent to grant permission to access
60 confidential records protected under the Family Educational
61 Rights and Privacy Act (FERPA) as provided in s. 1002.22.
62 2. Powers of attorney as provided in chapter 709.
63 3. Guardian advocacy as provided in s. 393.12.
64 4. Guardianship as provided in chapter 744.
65 Section 2. This act shall take effect July 1, 2023.