

By the Committee on Education Pre-K -12; and Senators Simon and Perry

581-02304-23

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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; requiring the State  
11      Board of Education to adopt rules; providing an  
12      effective date.

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

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16       Section 1. Paragraphs (b) and (c) of subsection (1) of  
17      section 1003.5716, Florida Statutes, are amended, paragraph (d)  
18      is added to subsection (1), and subsection (5) is added to that  
19      section, to read:

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

25       (1) To ensure quality planning for a successful transition  
26      of a student with a disability to postsecondary education and  
27      career opportunities, during the student's seventh grade year or  
28      when the student attains the age of 12, whichever occurs first,  
29      an IEP team shall begin the process of, and develop an IEP for,

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

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

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

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

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59 may provide informed consent to allow his or her parent to  
60 continue to participate in educational decisions, including:

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

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

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

66 4. Guardianship as provided in chapter 744.

67 (5) The State Board of Education shall adopt rules to  
68 administer this section.

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