

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1091 (2026)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION (Y/N)

FAILED TO ADOPT (Y/N)

WITHDRAWN (Y/N)

OTHER

1 Committee/Subcommittee hearing bill: Student Academic Success
2 Subcommittee

3 Representative Skidmore offered the following:

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Present paragraphs (a) through (f) of**
8 **subsection (2) of section 381.0056, Florida Statutes, are**
9 **redesignated as paragraphs (b) through (g), respectively, a new**
10 **paragraph (a) is added to that subsection, and paragraph (g) of**
11 **subsection (5) and paragraph (e) of subsection (6) of that**
12 **section are amended, to read:**

13 381.0056 School health services program.—

14 (2) As used in this section, the term:

15 (a) "Dental screening" means a limited, noninvasive visual
16 inspection of the mouth and oral cavity for the purpose of

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17 identifying obvious signs of dental disease or abnormality. The
18 term does not include the diagnosis or treatment of a dental
19 disease or abnormality or the use of instruments that penetrate
20 tissue, and may not be construed as a comprehensive dental
21 examination. A dental screening is not an invasive screening as
22 defined in paragraph (d).

23 (5) A nonpublic school may request to participate in the
24 school health services program. A nonpublic school voluntarily
25 participating in the school health services program shall:

26 (g) At the beginning of each school year, inform parents
27 or guardians in writing that their children who are students in
28 the school will receive specified health services as provided
29 for in the district health services plan. A student will be
30 exempt from any of these services if his or her parent or
31 guardian requests such exemption in writing. A dental screening
32 that is part of the preventive dental program required under
33 subparagraph (4)(a)5. may be provided to a student after the
34 written notice required by this paragraph and a reasonable
35 opportunity for the parent or guardian to request such exemption
36 in writing. This paragraph may shall not be construed to
37 authorize invasive screening; if there is a need for such
38 procedure, the consent of the student's parent or guardian must
39 shall be obtained in writing before prior to performing the
40 screening. However, the laws and rules relating to contagious or

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41 communicable diseases and sanitary matters may ~~shall~~ not be
42 violated.

43 (6) The district school board shall:

44 (e) At the beginning of each school year, inform parents
45 or guardians in writing that their children who are students in
46 the district schools will receive specified health services as
47 provided for in the district health services plan. A student
48 will be exempt from any of these services if his or her parent
49 or guardian requests such exemption in writing. A dental
50 screening that is part of the preventive dental program required
51 under subparagraph (4)(a)5. may be provided to a student after
52 the written notice required by this paragraph and a reasonable
53 opportunity for the parent or guardian to request such exemption
54 in writing. This paragraph may ~~shall~~ not be construed to
55 authorize invasive screening; if there is a need for such
56 procedure, the consent of the student's parent or guardian must
57 ~~shall~~ be obtained in writing before ~~prior to~~ performing the
58 screening. However, the laws and rules relating to contagious or
59 communicable diseases and sanitary matters may ~~shall~~ not be
60 violated.

61 **Section 2. Paragraph (c) of subsection (8) of section
62 1001.42, Florida Statutes, is amended to read:**

63 1001.42 Powers and duties of district school board.—The
64 district school board, acting as a board, shall exercise all
65 powers and perform all duties listed below:

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66 (8) STUDENT WELFARE.—

67 (c)1. In accordance with the rights of parents enumerated
68 in ss. 1002.20 and 1014.04, adopt procedures for notifying a
69 student's parent if there is a change in the student's services
70 or monitoring related to the student's mental, emotional, or
71 physical health or well-being and the school's ability to
72 provide a safe and supportive learning environment for the
73 student. The procedures must reinforce the fundamental right of
74 parents to make decisions regarding the upbringing and control
75 of their children by requiring school district personnel to
76 encourage a student to discuss issues relating to his or her
77 well-being with his or her parent or to facilitate discussion of
78 the issue with the parent. The procedures may not prohibit
79 parents from accessing any of their student's education and
80 health records created, maintained, or used by the school
81 district, as required by s. 1002.22(2).

82 2. A school district may not adopt procedures or student
83 support forms that prohibit school district personnel from
84 notifying a parent about his or her student's mental, emotional,
85 or physical health or well-being, or a change in related
86 services or monitoring, or that encourage or have the effect of
87 encouraging a student to withhold from a parent such
88 information. School district personnel may not discourage or
89 prohibit parental notification of and involvement in critical
90 decisions affecting a student's mental, emotional, or physical

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91 health or well-being. This subparagraph does not prohibit a
92 school district from adopting procedures that permit school
93 personnel to withhold such information from a parent if a
94 reasonably prudent person would believe that disclosure would
95 result in abuse, abandonment, or neglect, as those terms are
96 defined in s. 39.01.

97 3. Classroom instruction by school personnel or third
98 parties on sexual orientation or gender identity may not occur
99 in prekindergarten through grade 8, except when required by ss.
100 1003.42(2)(o)3. and 1003.46. If such instruction is provided in
101 grades 9 through 12, the instruction must be age-appropriate or
102 developmentally appropriate for students in accordance with
103 state standards. This subparagraph applies to charter schools.

104 4. Student support services training developed or provided
105 by a school district to school district personnel must adhere to
106 student services guidelines, standards, and frameworks
107 established by the Department of Education.

108 5. At the beginning of the school year, each school
109 district shall notify parents of each health care service
110 offered at their student's school and the option to withhold
111 consent or decline any specific service in accordance with s.
112 1014.06. A dental screening, as defined in s. 381.0056(2), which
113 is included in the preventive dental program listed in s.
114 381.0056(4)(a)5. may be provided in accordance with s. 381.0056.

115 Parental consent to a health care service does not waive the

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116 parent's right to access his or her student's educational or
117 health records or to be notified about a change in his or her
118 student's services or monitoring as provided by this paragraph.

119 6. Before administering a student well-being questionnaire
120 or health screening form to a student in kindergarten through
121 grade 3, the school district must provide the questionnaire or
122 health screening form to the parent and obtain the permission of
123 the parent.

124 7. Each school district shall adopt procedures for a
125 parent to notify the principal, or his or her designee,
126 regarding concerns under this paragraph at his or her student's
127 school and the process for resolving those concerns within 7
128 calendar days after notification by the parent.

129 a. At a minimum, the procedures must require that within
130 30 days after notification by the parent that the concern
131 remains unresolved, the school district must either resolve the
132 concern or provide a statement of the reasons for not resolving
133 the concern.

134 b. If a concern is not resolved by the school district, a
135 parent may:

136 (I) Request the Commissioner of Education to appoint a
137 special magistrate who is a member of The Florida Bar in good
138 standing and who has at least 5 years' experience in
139 administrative law. The special magistrate shall determine facts
140 relating to the dispute over the school district procedure or

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141 practice, consider information provided by the school district,
142 and render a recommended decision for resolution to the State
143 Board of Education within 30 days after receipt of the request
144 by the parent. The State Board of Education must approve or
145 reject the recommended decision at its next regularly scheduled
146 meeting that is more than 7 calendar days and no more than 30
147 days after the date the recommended decision is transmitted. The
148 costs of the special magistrate shall be borne by the school
149 district. The State Board of Education shall adopt rules,
150 including forms, necessary to implement this subparagraph.

151 (II) Bring an action against the school district to obtain
152 a declaratory judgment that the school district procedure or
153 practice violates this paragraph and seek injunctive relief. A
154 court may award damages and shall award reasonable attorney fees
155 and court costs to a parent who receives declaratory or
156 injunctive relief.

157 c. Each school district shall adopt and post on its
158 website policies to notify parents of the procedures required
159 under this subparagraph.

160 d. Nothing contained in this subparagraph shall be
161 construed to abridge or alter rights of action or remedies in
162 equity already existing under the common law or general law.

163 **Section 3. Present subsection (5) of section 1014.06,
164 Florida Statutes, is redesignated as subsection (6), and a new
165 subsection (5) is added to that section, to read:**

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166 1014.06 Parental consent for health care services.—

167 (5) This section does not apply to a dental screening, as
168 defined in s. 381.0056(2), which is part of the preventive
169 dental program required under s. 381.0056(4)(a)5. and provided
170 in accordance with s. 381.0056.

171 **Section 4.** This act shall take effect July 1, 2026.

174 **T I T L E A M E N D M E N T**

175 Remove everything before the enacting clause and insert:

176 A bill to be entitled

177 An act relating to dental screenings for K-12
178 students; amending s. 381.0056, F.S.; defining the
179 term "dental screening"; authorizing dental screenings
180 provided under the school health services program to
181 be conducted after written notice and an opportunity
182 for a parent or guardian to opt out; amending s.
183 1001.42, F.S.; clarifying district school board parent
184 notification requirements for dental screenings;
185 amending s. 1014.06, F.S.; providing that specified
186 parental consent requirements do not apply to certain
187 dental screenings; providing an effective date.