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A bill to be entitled
An act relating to dental screenings for K-12
students; amending ss. 1001.42 and 1014.06, F.S.;
authorizing specified dental screenings to be
performed on K-12 students after written parental
notification of such services is provided and the
student's parents are given specified opportunities;
defining the term "dental screening"; providing an
effective date.

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

Section 1. Paragraph (c) of subsection (8) of section 1001.42, Florida Statutes, is amended to read:

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

(8) STUDENT WELFARE.—

(c)1. In accordance with the rights of parents enumerated in ss. 1002.20 and 1014.04, adopt procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student. The procedures must reinforce the fundamental right of

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26 parents to make decisions regarding the upbringing and control
27 of their children by requiring school district personnel to
28 encourage a student to discuss issues relating to his or her
29 well-being with his or her parent or to facilitate discussion of
30 the issue with the parent. The procedures may not prohibit
31 parents from accessing any of their student's education and
32 health records created, maintained, or used by the school
33 district, as required by s. 1002.22(2).

34 2. A school district may not adopt procedures or student
35 support forms that prohibit school district personnel from
36 notifying a parent about his or her student's mental, emotional,
37 or physical health or well-being, or a change in related
38 services or monitoring, or that encourage or have the effect of
39 encouraging a student to withhold from a parent such
40 information. School district personnel may not discourage or
41 prohibit parental notification of and involvement in critical
42 decisions affecting a student's mental, emotional, or physical
43 health or well-being. This subparagraph does not prohibit a
44 school district from adopting procedures that permit school
45 personnel to withhold such information from a parent if a
46 reasonably prudent person would believe that disclosure would
47 result in abuse, abandonment, or neglect, as those terms are
48 defined in s. 39.01.

49 3. Classroom instruction by school personnel or third
50 parties on sexual orientation or gender identity may not occur

51 in prekindergarten through grade 8, except when required by ss.
52 1003.42(2)(o)3. and 1003.46. If such instruction is provided in
53 grades 9 through 12, the instruction must be age-appropriate or
54 developmentally appropriate for students in accordance with
55 state standards. This subparagraph applies to charter schools.

56 4. Student support services training developed or provided
57 by a school district to school district personnel must adhere to
58 student services guidelines, standards, and frameworks
59 established by the Department of Education.

60 5. At the beginning of the school year, each school
61 district shall notify parents of each health care service
62 offered at their student's school and the option to withhold
63 consent or decline any specific service in accordance with s.
64 1014.06. A dental screening included in the preventive dental
65 program, listed in s. 381.0056(4)(a)5., may be performed after
66 the student's parent has been given written notice of such
67 services and the reasonable opportunity to deny consent or opt
68 his or her student out of such services. For purposes of this
69 subparagraph, the term "dental screening" means a limited, non-
70 invasive visual inspection of the oral cavity, performed for the
71 purpose of identifying obvious signs of dental disease or
72 abnormality. The term does not include the diagnosis or
73 treatment of a dental disease or abnormality or the use of
74 instruments that penetrate tissue, and may not be construed as a
75 comprehensive dental examination. Parental consent to a health

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76 care service does not waive the parent's right to access his or
77 her student's educational or health records or to be notified
78 about a change in his or her student's services or monitoring as
79 provided by this paragraph.

80 6. Before administering a student well-being questionnaire
81 or health screening form to a student in kindergarten through
82 grade 3, the school district must provide the questionnaire or
83 health screening form to the parent and obtain the permission of
84 the parent.

85 7. Each school district shall adopt procedures for a
86 parent to notify the principal, or his or her designee,
87 regarding concerns under this paragraph at his or her student's
88 school and the process for resolving those concerns within 7
89 calendar days after notification by the parent.

90 a. At a minimum, the procedures must require that within
91 30 days after notification by the parent that the concern
92 remains unresolved, the school district must either resolve the
93 concern or provide a statement of the reasons for not resolving
94 the concern.

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

97 (I) Request the Commissioner of Education to appoint a
98 special magistrate who is a member of The Florida Bar in good
99 standing and who has at least 5 years' experience in
100 administrative law. The special magistrate shall determine facts

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101 relating to the dispute over the school district procedure or
102 practice, consider information provided by the school district,
103 and render a recommended decision for resolution to the State
104 Board of Education within 30 days after receipt of the request
105 by the parent. The State Board of Education must approve or
106 reject the recommended decision at its next regularly scheduled
107 meeting that is more than 7 calendar days and no more than 30
108 days after the date the recommended decision is transmitted. The
109 costs of the special magistrate shall be borne by the school
110 district. The State Board of Education shall adopt rules,
111 including forms, necessary to implement this subparagraph.

112 (II) Bring an action against the school district to obtain
113 a declaratory judgment that the school district procedure or
114 practice violates this paragraph and seek injunctive relief. A
115 court may award damages and shall award reasonable attorney fees
116 and court costs to a parent who receives declaratory or
117 injunctive relief.

118 c. Each school district shall adopt and post on its
119 website policies to notify parents of the procedures required
120 under this subparagraph.

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

124 **Section 2. Subsection (2) of section 1014.06, Florida
125 Statutes, is amended to read:**

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126 1014.06 Parental consent for health care services.—

127 (2) Except as otherwise provided by law or a court order,
128 a provider, as defined in s. 408.803, may not allow a medical
129 procedure to be performed on a minor child in its facility
130 without first obtaining written parental consent. However, for a
131 student enrolled in a public school in the state, a dental
132 screening included in the preventive dental program, listed in
133 s. 381.0056(4)(a)5., may be performed after the minor child's
134 parents have been given written notice of such services and the
135 reasonable opportunity to deny consent or opt out his or her
136 minor child from such services. For purposes of this subsection,
137 the term "dental screening" means a limited, non-invasive visual
138 inspection of the oral cavity, performed for the purpose of
139 identifying obvious signs of dental disease or abnormality. The
140 term does not include the diagnosis or treatment of a dental
141 disease or abnormality or the use of instruments that penetrate
142 tissue, and may not be construed as a comprehensive dental
143 examination.

144 **Section 3.** This act shall take effect July 1, 2026.