

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

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

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13       **Section 1. Paragraph (c) of subsection (8) of section**  
14   **1001.42, Florida Statutes, is amended to read:**

15       1001.42 Powers and duties of district school board.—The  
16       district school board, acting as a board, shall exercise all  
17       powers and perform all duties listed below:

18       (8) STUDENT WELFARE.—

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

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

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

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

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

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

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

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

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.