



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/20/2026	.	
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The Committee on Education Pre-K - 12 (Calatayud) recommended the following:

1 **Senate Amendment (with title amendment)**

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3 Delete everything after the enacting clause

4 and insert:

5 Section 1. Present paragraphs (a) through (f) of subsection

6 (2) of section 381.0056, Florida Statutes, are redesignated as

7 paragraphs (b) through (g), respectively, a new paragraph (a) is

8 added to that subsection, and paragraph (g) of subsection (5)

9 and paragraph (e) of subsection (6) of that section are amended,

10 to read:



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11 381.0056 School health services program.—

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

13 (a) "Dental screening" means a limited, noninvasive visual
14 inspection of the mouth and oral cavity for the purpose of
15 identifying obvious signs of dental disease or abnormality. The
16 term does not include the diagnosis or treatment of a dental
17 disease or abnormality or the use of instruments that penetrate
18 tissue, and may not be construed as a comprehensive dental
19 examination. A dental screening is not an invasive screening as
20 defined in paragraph (d).

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

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



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58 Section 2. Paragraph (c) of subsection (8) of section
59 1001.42, Florida Statutes, is amended to read:

60 1001.42 Powers and duties of district school board.—The
61 district school board, acting as a board, shall exercise all
62 powers and perform all duties listed below:

63 (8) STUDENT WELFARE.—



69 provide a safe and supportive learning environment for the
70 student. The procedures must reinforce the fundamental right of
71 parents to make decisions regarding the upbringing and control
72 of their children by requiring school district personnel to
73 encourage a student to discuss issues relating to his or her
74 well-being with his or her parent or to facilitate discussion of
75 the issue with the parent. The procedures may not prohibit
76 parents from accessing any of their student's education and
77 health records created, maintained, or used by the school
78 district, as required by s. 1002.22(2).

79 2. A school district may not adopt procedures or student
80 support forms that prohibit school district personnel from
81 notifying a parent about his or her student's mental, emotional,
82 or physical health or well-being, or a change in related
83 services or monitoring, or that encourage or have the effect of
84 encouraging a student to withhold from a parent such
85 information. School district personnel may not discourage or
86 prohibit parental notification of and involvement in critical
87 decisions affecting a student's mental, emotional, or physical
88 health or well-being. This subparagraph does not prohibit a
89 school district from adopting procedures that permit school
90 personnel to withhold such information from a parent if a
91 reasonably prudent person would believe that disclosure would
92 result in abuse, abandonment, or neglect, as those terms are
93 defined in s. 39.01.

94 3. Classroom instruction by school personnel or third
95 parties on sexual orientation or gender identity may not occur
96 in prekindergarten through grade 8, except when required by ss.
97 1003.42(2)(o)3. and 1003.46. If such instruction is provided in



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98 grades 9 through 12, the instruction must be age-appropriate or
99 developmentally appropriate for students in accordance with
100 state standards. This subparagraph applies to charter schools.

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

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

112 Parental consent to a health care service does not waive the
113 parent's right to access his or her student's educational or
114 health records or to be notified about a change in his or her
115 student's services or monitoring as provided by this paragraph.

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

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

126 a. At a minimum, the procedures must require that within 30



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127 days after notification by the parent that the concern remains
128 unresolved, the school district must either resolve the concern
129 or provide a statement of the reasons for not resolving the
130 concern.

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

133 (I) Request the Commissioner of Education to appoint a
134 special magistrate who is a member of The Florida Bar in good
135 standing and who has at least 5 years' experience in
136 administrative law. The special magistrate shall determine facts
137 relating to the dispute over the school district procedure or
138 practice, consider information provided by the school district,
139 and render a recommended decision for resolution to the State
140 Board of Education within 30 days after receipt of the request
141 by the parent. The State Board of Education must approve or
142 reject the recommended decision at its next regularly scheduled
143 meeting that is more than 7 calendar days and no more than 30
144 days after the date the recommended decision is transmitted. The
145 costs of the special magistrate shall be borne by the school
146 district. The State Board of Education shall adopt rules,
147 including forms, necessary to implement this subparagraph.

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

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



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156 subparagraph.

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

160 Section 3. Present subsection (5) of section 1014.06,
161 Florida Statutes, is redesignated as subsection (6), and a new
162 subsection (5) is added to that section, to read:

163 1014.06 Parental consent for health care services.—

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

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

169
170 ===== T I T L E A M E N D M E N T =====

171 And the title is amended as follows:

172 Delete everything before the enacting clause
173 and insert:

174 A bill to be entitled

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



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screenings; providing an effective date.