

1 A bill to be entitled
 2 An act relating to the removal of a student for an
 3 involuntary examination; amending ss. 381.0056,
 4 1002.20, and 1002.33, F.S.; revising the requirements
 5 for parental notification prior to removing a student
 6 for an involuntary examination under certain
 7 circumstances; providing an effective date.

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

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 11 Section 1. Paragraph (a) of subsection (4) of section
 12 381.0056, Florida Statutes, is amended to read:

13 381.0056 School health services program.—

14 (4) (a) Each county health department shall develop,
 15 jointly with the district school board and the local school
 16 health advisory committee, a school health services plan. The
 17 plan must include, at a minimum, provisions for all of the
 18 following:

- 19 1. Health appraisal;
- 20 2. Records review;
- 21 3. Nurse assessment;
- 22 4. Nutrition assessment;
- 23 5. A preventive dental program;
- 24 6. Vision screening;
- 25 7. Hearing screening;

- 26 8. Scoliosis screening;
- 27 9. Growth and development screening;
- 28 10. Health counseling;
- 29 11. Referral and followup of suspected or confirmed health
30 problems by the local county health department;
- 31 12. Meeting emergency health needs in each school;
- 32 13. County health department personnel to assist school
33 personnel in health education curriculum development;
- 34 14. Referral of students to appropriate health treatment,
35 in cooperation with the private health community whenever
36 possible;
- 37 15. Consultation with a student's parent or guardian
38 regarding the need for health attention by the family physician,
39 dentist, or other specialist when definitive diagnosis or
40 treatment is indicated;
- 41 16. Maintenance of records on incidents of health
42 problems, corrective measures taken, and such other information
43 as may be needed to plan and evaluate health programs; except,
44 however, that provisions in the plan for maintenance of health
45 records of individual students must be in accordance with s.
46 1002.22;
- 47 17. Health information which will be provided by the
48 school health nurses, when necessary, regarding the placement of
49 students in exceptional student programs and the reevaluation at
50 periodic intervals of students placed in such programs;

51 18. Notification to the local nonpublic schools of the
52 school health services program and the opportunity for
53 representatives of the local nonpublic schools to participate in
54 the development of the cooperative health services plan; and

55 19. ~~Immediate~~ Notification to a student's parent,
56 guardian, or caregiver if the student is removed from school,
57 school transportation, or a school-sponsored activity and taken
58 to a receiving facility for an involuntary examination pursuant
59 to s. 394.463, including the requirements established under ss.
60 1002.20(3) and 1002.33(9), as applicable. Such notification
61 shall include:

62 a. Notification prior to the student's removal for an
63 involuntary examination, if such notification will not cause a
64 delay that jeopardizes the student's or another individual's
65 physical or mental health or safety.

66 b. Immediate notification upon the student's removal for
67 an involuntary examination.

68 Section 2. Paragraph (1) of subsection (3) of section
69 1002.20, Florida Statutes, is amended to read:

70 1002.20 K-12 student and parent rights.—Parents of public
71 school students must receive accurate and timely information
72 regarding their child's academic progress and must be informed
73 of ways they can help their child to succeed in school. K-12
74 students and their parents are afforded numerous statutory
75 rights including, but not limited to, the following:

76 (3) HEALTH ISSUES.—

77 (1) Notification of involuntary examinations.—

78 1. The public school principal or the principal's designee
79 shall immediately notify the parent of a student who is removed
80 from school, school transportation, or a school-sponsored
81 activity and taken to a receiving facility for an involuntary
82 examination pursuant to s. 394.463. In addition, the principal
83 or the principal's designee shall explain to the parent the
84 reason or situation that gave rise to such removal. The
85 principal or the principal's designee may delay notification for
86 no more than 24 hours after the student is removed if the
87 principal or designee deems the delay to be in the student's
88 best interest and if a report has been submitted to the central
89 abuse hotline, pursuant to s. 39.201, based upon knowledge or
90 suspicion of abuse, abandonment, or neglect.

91 2. Prior to removal of a student for an involuntary
92 examination, the principal or the principal's designee shall
93 notify the parent, if such notification will not cause a delay
94 that jeopardizes the student's or another individual's physical
95 or mental health or safety. However, the principal or the
96 principal's designee may omit notification prior to removal if
97 the principal or designee deems it to be in the student's best
98 interest and if a report has been submitted to the central abuse
99 hotline, pursuant to s. 39.201, based upon knowledge or
100 suspicion of abuse, abandonment, or neglect.

101 3. Each district school board shall develop a policy and
102 procedures for notification under this paragraph.

103 Section 3. Paragraph (q) of subsection (9) of section
104 1002.33, Florida Statutes, is amended to read:

105 1002.33 Charter schools.—

106 (9) CHARTER SCHOOL REQUIREMENTS.—

107 (q)1. The charter school principal or the principal's
108 designee shall immediately notify the parent of a student who is
109 removed from school, school transportation, or a school-
110 sponsored activity and taken to a receiving facility for an
111 involuntary examination pursuant to s. 394.463. In addition, the
112 principal or the principal's designee shall explain to the
113 parent the reason or situation that gave rise to such removal.

114 The principal or the principal's designee may delay notification
115 for no more than 24 hours after the student is removed if the
116 principal or designee deems the delay to be in the student's
117 best interest and if a report has been submitted to the central
118 abuse hotline, pursuant to s. 39.201, based upon knowledge or
119 suspicion of abuse, abandonment, or neglect.

120 2. Prior to removal of a student for an involuntary
121 examination, the principal or the principal's designee shall
122 notify the parent, if such notification will not cause a delay
123 that jeopardizes the student's or another individual's physical
124 or mental health or safety. However, the principal or the
125 principal's designee may omit notification prior to removal if

126 | the principal or designee deems it to be in the student's best
127 | interest and if a report has been submitted to the central abuse
128 | hotline, pursuant to s. 39.201, based upon knowledge or
129 | suspicion of abuse, abandonment, or neglect.

130 | 3. Each charter school governing board shall develop a
131 | policy and procedures for notification under this paragraph.

132 | Section 4. This act shall take effect July 1, 2019.