

HB 241 – Parent’s Bill of Rights

Section 3 (1) The legislature provides that it is a fundamental right of parents to:

- Direct the upbringing, education, and care of their minor children.
- Important information relating to a minor child should not be withheld, either inadvertently or purposefully, from his or her parent, including information relating to their health, well-being, and education while in the custody of the school district.
- A consistent mechanism for parents to be notified of information relating to the health and well-being of their minor children.

Section 3 (5) Parents have the following rights in regards to their minor children:

- a. To direct the education and care
- b. The upbringing and the moral or religious training
- c. To apply to enroll their child in a public, private, or other available options – s. 1002.20 (2) (b) and (6)
- d. To access and review all school records – s. 1002.20 (13)
- e. To make health care decisions, unless otherwise prohibited by law
- f. To access and review all medical records unless otherwise prohibited by law
- g. To consent in writing before a biometric scan is made, shared, or stored
- h. To consent in writing before any record of blood or DNA is created, stored, or shared, except as required by law or pursuant to court orders
- i. Parents have the right to consent in writing before a video or voice recording is made of his or her minor child unless such a recording is made during or as a part of court proceedings, or a forensic interview in a criminal or Department of Children and Families investigation or is to be used solely for the following purposes:
 1. A safety demonstration
 2. Legitimate academic or extracurricular activities
 3. A purpose related to regular classroom instruction
 4. Security or surveillance of buildings or ground
 5. A photo identification card
- j. (1) Parents have the right to be notified promptly if any employee of the state suspects that a criminal offense has been committed against his or her minor child, unless the incident has first been reported to law enforcement or the Department of Children and Families and notifying the parent would impede the investigation.

(2) This section does not:

- a. Authorize a parent to engage in conduct that is unlawful or to abuse or neglect
- b. Condone, authorize, approve, or apply to a parental decision that would end life
- c. Prohibit anyone from acting within his or her official capacity within the reasonable and prudent scope of his or her authority
- d. Prohibit a court of competent jurisdiction from issuing an order that is otherwise permitted by law

(3) An employee of the state who encourages a child to withhold information may face disciplinary action.

Section 6 (1) Each district will include parents, teachers, and administrators to develop and adopt a policy to promote parental involvement in the public school system to include:

- a. A plan for parental participation in schools to improve parent and teacher cooperation in such areas as homework, school attendance, and discipline.
- b. A procedure for a parent to learn about their minor child's course of study including the source of any supplemental education materials. S. 1002.20(19)(b)
- c. Procedures for a parent to object to instructional materials and other materials used in the classroom. Such objections may be based on beliefs regarding morality, sex, and religion of the belief that such materials are harmful. – s. 1006.28(2)(a) 2.
- d. Procedures for a parent to withdraw his or her minor child from any portion of the school district's comprehensive health education. – s.1002.20 (3)(d)
- e. Procedures for a parent to learn about the nature and purpose of clubs and activities offered at their school, including those that are extracurricular or part of the school curriculum. – s. 1006.195 (1) (a)
- f. Procedures for a parent to learn about parental rights and responsibilities to include:
 1. The right to opt out of any portion of the district's comprehensive health education- s.1002.20 (3)(d);
 2. A plan to disseminate information about school choice options, including open enrollment – s. 1002.20 (6);
 3. The right to exempt their minor child from immunization – s.1002.20 (3)(b);
 4. The right to review statewide, standardized assessment results – s.1008.25;
 5. The right of a parent to enroll their child in gifted or special education programs s.1003.57;
 6. The right of a parent to inspect school district instructional materials – s.1006.28 (2)(a) 1;
 7. The right of a parent to access information relating to the school district's policies for promotion or retention, including high school graduation requirements – s. 1008.25;
 8. The right of a parent to receive a school report card and be informed of their child's attendance requirements – s.1002.20(14);
 9. The right to access information relating to the state public education system, state standards, report card requirements, attendance requirements, and instructional materials requirements- s.1002.23;
 10. The right of a parent to participate in parent-teacher association and organizations that are sanctioned by a district school board or the DOE – s.1002.23 (4);
 11. The right of a parent to opt out of any district-level data collection relating to their child not required by law – s.1002.222 (1)(a).

Section 6 (3) A parent may request, in writing, from the district school superintendent the information required in this section. Within 10 days, the superintendent must provide such information to the parent. If the superintendent denies a parent's request for information or does not respond to the parent's request within 10 days, the parent may appeal to the district school board. The school board must place a parent's appeal on the agenda for its next public meeting. If it is too late for a parent's appeal to appear on the next agenda, the appeal must be included on the agenda for the subsequent meeting.

