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CS/CS/HB 545

2021 Legislature

1
2 An act relating to reproductive health and disease
3 education; amending s. 1002.20, F.S.; requiring each
4 school district to publish a notice on the district's
5 website concerning a parent's right to exempt a
6 student from reproductive health and disease
7 education; amending s. 1003.42, F.S.; requiring
8 district school boards to annually approve
9 instructional materials relating to reproductive
10 health and disease education in an open, noticed
11 public meeting; requiring each school district to
12 publish a notice on the district's website concerning
13 a parent's right to exempt a student from reproductive
14 health and disease education; amending s. 1006.40,
15 F.S.; specifying that reproductive health and disease
16 education instructional materials are to be made
17 available for public review and comment under a
18 specific process; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Paragraph (d) of subsection (3) of section
23 1002.20, Florida Statutes, is amended to read:

24 1002.20 K-12 student and parent rights.—Parents of public
25 school students must receive accurate and timely information

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26 | regarding their child's academic progress and must be informed
27 | of ways they can help their child to succeed in school. K-12
28 | students and their parents are afforded numerous statutory
29 | rights including, but not limited to, the following:

30 | (3) HEALTH ISSUES.—

31 | (d) Reproductive health and disease education.—A public
32 | school student whose parent makes written request to the school
33 | principal shall be exempted from the teaching of reproductive
34 | health or any disease, including HIV/AIDS, in accordance with
35 | ~~the provisions of s. 1003.42(3).~~ Each school district shall, on
36 | the district's website homepage, notify parents of this right
37 | and the process to request an exemption. The homepage must
38 | include a link for a student's parent to access and review the
39 | instructional materials, as defined in s. 1006.29(2), used to
40 | teach the curriculum.

41 | Section 2. Subsections (1) and (3) of section 1003.42,
42 | Florida Statutes, are amended to read:

43 | 1003.42 Required instruction.—

44 | (1) (a) Each district school board shall provide all
45 | courses required for middle grades promotion, high school
46 | graduation, and appropriate instruction designed to ensure that
47 | students meet State Board of Education adopted standards in the
48 | following subject areas: reading and other language arts,
49 | mathematics, science, social studies, foreign languages, health
50 | and physical education, and the arts. The state board must

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51 remove a middle grades course in the Course Code Directory that
52 does not fully integrate all appropriate curricular content
53 required by s. 1003.41 and may approve a new course only if it
54 meets the required curricular content.

55 (b) All instructional materials, as defined in s.
56 1006.29(2), used to teach reproductive health or any disease,
57 including HIV/AIDS, its symptoms, development, and treatment, as
58 part of the courses referenced in subsection (3), must be
59 annually approved by a district school board in an open, noticed
60 public meeting.

61 (3) Any student whose parent makes written request to the
62 school principal shall be exempted from the teaching of
63 reproductive health or any disease, including HIV/AIDS, its
64 symptoms, development, and treatment. A student so exempted may
65 not be penalized by reason of that exemption. Course
66 descriptions for comprehensive health education shall not
67 interfere with the local determination of appropriate curriculum
68 which reflects local values and concerns. Each school district
69 shall, on the district's website homepage, notify parents of
70 this right and the process to request an exemption. The homepage
71 must include a link for a student's parent to access and review
72 the instructional materials, as defined in s. 1006.29(2), used
73 to teach the curriculum.

74 Section 3. Paragraph (b) of subsection (4) of section
75 1006.40, Florida Statutes, is amended to read:

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76 | 1006.40 Use of instructional materials allocation;
77 | instructional materials, library books, and reference books;
78 | repair of books.—

79 | (4) Each district school board is responsible for the
80 | content of all materials used in a classroom or otherwise made
81 | available to students. Each district school board shall adopt
82 | rules, and each district school superintendent shall implement
83 | procedures, that:

84 | (b) Provide a process for public review of, public comment
85 | on, and the adoption of instructional materials, including
86 | instructional materials used to teach reproductive health or any
87 | disease, including HIV/AIDS, under ss. 1003.42(3) and 1003.46,
88 | which ~~that~~ satisfies the requirements of s. 1006.283(2)(b)8.,
89 | 9., and 11.

90 | Section 4. This act shall take effect July 1, 2021.