

CHAPTER 2021-69

Committee Substitute for Committee Substitute for House Bill No. 545

An act relating to reproductive health and disease education; amending s. 1002.20, F.S.; requiring each school district to publish a notice on the district's website concerning a parent's right to exempt a student from reproductive health and disease education; amending s. 1003.42, F.S.; requiring district school boards to annually approve instructional materials relating to reproductive health and disease education in an open, noticed public meeting; requiring each school district to publish a notice on the district's website concerning a parent's right to exempt a student from reproductive health and disease education; amending s. 1006.40, F.S.; specifying that reproductive health and disease education instructional materials are to be made available for public review and comment under a specific process; providing an effective date.

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

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

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

(3) HEALTH ISSUES.—

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

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

1003.42 Required instruction.—

(1)(a) Each district school board shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other

language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts. The state board must remove a middle grades course in the Course Code Directory that does not fully integrate all appropriate curricular content required by s. 1003.41 and may approve a new course only if it meets the required curricular content.

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

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

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

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

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

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

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

Approved by the Governor June 4, 2021.

Filed in Office Secretary of State June 4, 2021.