



Parental Rights in Education

The School District of Brevard County is committed to honoring the rights of parents/legal guardians and promoting their involvement in the District. The School District recognizes the fundamental rights of parents/legal guardians to direct the upbringing, education, and care of their minor children including the rights of parents in need of additional assistance with certain disputes that are not timely resolved by a school as outlined in HB 1557.

On July 1, 2022, House Bill 1557 came into effect in the state of Florida. HB 1557 reinforces a parent's fundamental right to make decisions regarding the care and upbringing of his or her child in the public-school setting. Additionally, HB 1557 outlines the following parental rights:

- Brevard Public Schools (BPS) has adopted procedures of notifying a student's parent if there is a change in services or monitoring related to the student's mental, emotional, or physical health or well-being.
- BPS personnel will encourage a student to discuss issues related to his or her well-being with his or her parent.
- At the beginning of each school year, BPS will notify parents of all healthcare services provided at their student's school and provide parents the opportunity to individually consent to, or decline, each service.

House Bill 1557 also prohibits:

- Classroom instruction on sexual orientation or gender identity in kindergarten through grade 3 or in a manner that is not age-appropriate or developmentally appropriate for students.
- The administering of a well-being questionnaire or health screening form to a student in kindergarten through grade 3 without first receiving consent from the student's parent.
- The withholding from a parent, or encouraging of a student to withhold, information related to a student's mental, emotional, or physical health or well-being.
 - o BPS procedures may allow personnel to withhold information only for a reasonable belief that the disclosure would subject the student to abuse, abandonment, or neglect.

Finally, HB 1557 requires school districts to all have procedures for a parent to notify the principal of concerns regarding the provisions in the bill, and the process for resolving concerns within seven days of the complaint. If the complaint is not resolved by the school district after an additional 30 days, a parent may:

- Request the Commissioner of Education appoint a special magistrate who meets qualifications established in the bill. The special magistrate must recommend a resolution to the State Board of Education within 30 days. The State Board of Education must approve or reject the recommendation between 7 and 30 days after the recommendation.
- Bring an action against the BPS to obtain declaratory judgment that the BPS procedure or practice violates the provisions in the bill and seek injunctive relief. A court may award damages and must award reasonable attorney fees and court costs to a parent who receives declaratory or injunctive relief.

The **School-level and District-level Parent Dispute Resolution Request forms** are available on the BPS website under "P" on the [Parents and Students Tab](#).