



## 2021-2022 Florida Statutes and Administrative Code Rules for School Health Services and Related Activities in Schools

### FLORIDA STATUTES (F.S.) AND FLORIDA ADMINISTRATIVE CODE (F.A.C.)

The following statutes/rules identify health-related requirements for schools and students. These requirements directly support the health and safety of students in schools, and the provision of school health services. As appropriate, they are incorporated into the county-level school health services plans. Services and responsibilities outlined in each county plan are jointly implemented with state and local funds by county health departments, school districts and public- private community partners.

Law/Rule	Title	Summary of Health-Related Requirements
<a href="#">Section (s.) 39.201, F.S.</a>	Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death	Any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected shall report such knowledge or suspicion to Department of Children and Families. Physician, osteopathic physician, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons; school teacher or other school official or personnel; and reporters in other defined occupation categories are required to provide their names to the hotline staff.
<a href="#">s. 154.01, F.S.</a>	County health department delivery system	County health department services shall be established to include three levels of service and funded as follows: (a) "Environmental health services", (b) "Communicable disease control services", (c) "Primary care services". Primary care services are acute care and preventive services supported by available federal, state, and local funds and shall include services mandated on a state or federal level. Examples of primary health care services include, but are not limited to school health and other listed services.
<a href="#">s. 381.001, F.S.</a>	Legislative intent; public health system	The department, in carrying out the public health mission, shall provide preventive and primary health care, including but not limited to, school health.
<a href="#">s. 381.0022, F.S.</a>	Sharing confidential or exempt information	The Department of Health and the Department of Children and Families may share confidential information or information exempt from disclosure under <a href="#">Chapter 119, F.S.</a> on any individual who is or has been the subject of a program within the jurisdiction of each agency. Information so exchanged remains confidential or exempt as provided by law.
<a href="#">s. 381.003, F.S.</a>	Communicable disease and acquired immunodeficiency virus prevention and control	The department's communicable disease prevention and control program must include programs to immunize school children as required by <a href="#">s. 1003.22(4)(a), F.S.</a>
<a href="#">s. 381.0031, F.S.</a>	Report of diseases of public health significance to department	Any practitioner licensed in Florida shall report a disease of public health significance to the department.



s. <a href="#">381.005, F.S.</a>	Primary and preventive health services	The Department of Health shall conduct a primary and preventive health care program that includes, but is not limited to school health services in accordance with <a href="#">Chapter 1003, F.S.</a> and <a href="#">Chapter 1006, F.S.</a>
s. <a href="#">381.0056, F.S.</a>	School health services program; “School Health Services Act”	This section of Chapter 381 provides definitions, provisions for cooperative supervision of the administration of the school health service program by Florida Department of Health and the Florida Department of Education (including periodic program reviews), joint development of local school health services plans by the county health department, district school board and school health advisory committee that lists provisions for mandated school health services, responsibilities of school districts and private schools and sovereign immunity for Department of Health contracted providers of school health services. See <a href="#">Florida Administrative Code (F.A.C.) rule 64F-6.006</a>
s. <a href="#">381.0056 (4)(a)(19), F.S.</a>	Reasonable attempt to notify	A reasonable attempt to notify a student’s parent, guardian, or caregiver must be made before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to s. <a href="#">394.463, F.S.</a> , including and subject to the requirements and exceptions established under <a href="#">s 1002.20(3)(l)(1), F.S.</a> and <a href="#">s. 1002.33(9), F.S.</a> , as applicable.
s. <a href="#">381.0057, F.S.</a>	Funding for school health services	Provides funding, in addition to that allocated under the School Health Services Act, for promoting the health of students, reducing risk-taking behavior, and reducing teenage pregnancy.
s. <a href="#">381.0059, F.S.</a>	Background screening requirements for school health services personnel	Any person who provides services under a school health services plan pursuant to <a href="#">s. 381.0056, F.S.</a> must meet level 2 screening requirements per <a href="#">s. 435.04, F.S.</a>
s. <a href="#">381.00593, F.S.</a>	Public school volunteer health care practitioner program	Encourages health care practitioners to provide voluntary services in public schools and provides for incentives.
s. <a href="#">381.006, F.S.</a>	Environmental Health	The department shall conduct an environmental health program as part of fulfilling the state’s public health mission. Rules related to public ( <a href="#">F.A.C. rule 6A-2) State Requirements for Education Facilities 2014</a> and private schools ( <a href="#">F.A.C. rule 6A-2.0040</a> ) shall be developed by the Department of Education in consultation with the department.
s. <a href="#">381.088, F.S.</a>	Emergency allergy treatment	This section and <a href="#">s. 381.885, F.S.</a> may be cited as the “Emergency Allergy Treatment Act,” and covers the training and certification requirements for authorized entities to acquire and individuals to administer stock epinephrine auto-injectors to an individual experiencing a severe allergic reaction.
s. <a href="#">381.986, F.S.</a>	Medical use of marijuana	This section and <a href="#">s. 1006.062, F.S.</a> provides guidance regarding use or administration of medical marijuana to students who are qualified patients by a caregiver with a caregiver identification card.



<a href="#">s. 394.463, F.S.</a>	Involuntary examination	A person may be taken to a receiving facility for involuntary examination if there is reason to believe that the person has a mental illness and because of his or her mental illness.
<a href="#">s. 402.3025, F.S.</a>	Public and nonpublic schools	Describes public school and childcare programs and associated age requirements.
<a href="#">s. 402.3026, F.S.</a>	Full-service schools	Jointly establishes full-service schools to serve high-risk students needing medical and social services.
<a href="#">Ch. 464, F.S.</a>	Nurse Practice Act	Provides definitions, requirements, and practice standards for advanced practice registered nurses, registered nurses, licensed practical nurses and certified nursing assistants.
<a href="#">Ch. 466, F.S.</a>	Dentistry, Dental Hygiene, and Dental Laboratories	Provides definitions, specifically “School-based prevention program” and “health access settings”.
<a href="#">s. 624.91, F.S.</a>	The Florida Healthy Kids Corporation Act	Increases access to health care for children in under insured or uninsured families. School district and school health staff may refer families requiring assistance to this program.
<a href="#">s. 743.064, F.S.</a>	Emergency medical care or treatment to minors without parental consent	Emergency medical care may be rendered by a physician due to accident, acute illness, disease or condition if a delay in emergency care or treatment would endanger the health or physical well-being. Also applies to paramedics, emergency medical technicians or emergency personnel under Chapter 401, Florida Administrative Code. Other requirements are provided.
<a href="#">s. 743.0645, F.S.</a>	Other persons who may consent to medical treatment of a minor	Provides requirements and a listing of persons who may provide consent: stepparent, grandparent, adult brother or sister, adult aunt or uncle.
<a href="#">s. 743.065, F.S.</a>	Unwed pregnant minor or minor mother; consent to medical services for minor or minor's child valid	An unwed pregnant minor may consent to the performance of medical or surgical care or services relating to her pregnancy by a hospital or clinic or by a physician licensed under <a href="#">chapter 458, F.S.</a> or <a href="#">chapter 459, F.S.</a> and such consent is valid and binding as if she had achieved her majority. An unwed minor mother may consent to the performance of medical or surgical care or services for her child by a hospital or clinic or by a physician licensed under <a href="#">chapter 458, F.S.</a> or <a href="#">chapter 459, F.S.</a> , and such consent is valid and binding as if she had achieved her majority. Nothing in this act shall affect the provisions of <a href="#">s. 390.0111, F.S.</a>
<a href="#">s. 768.13, F.S.</a>	Good Samaritan Act; immunity from civil liability	Any person, including those licensed to practice medicine, who gratuitously and in good faith renders emergency care or treatment either in direct response to emergency situations related to and arising out of a public health emergency declared pursuant to <a href="#">s. 381.00315, F.S.</a> , a state of emergency which has been declared pursuant to <a href="#">s. 252.36, F.S.</a> or at the scene of an emergency outside of a hospital, doctor’s office, or other place having proper medical equipment, without objection of the injured victim or victims thereof, shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.



<a href="#">s. 1001.43, F.S.</a>	Supplemental powers and duties of district school board	The school board may adopt programs and policies for the provision of first aid and emergency medical care, and the provision of school health care facilities and services.
<a href="#">s. 1002.20(3), F.S.</a>	K-12 student and parent rights	Provides exemptions upon written parental request for school-entry examinations, immunizations, reproductive health and disease education. Contraceptive services may not be provided without parental consent. Addresses metered dose inhaler use, epinephrine auto-injector use, diabetes management, and use of prescribed pancreatic enzyme supplements.
<a href="#">s. 1002.22, F.S.</a>	Student records and reports; rights of parents and students; notification Education records and reports of K-12 students; rights of parents	Provides that the rights of students and their parents with respect to education records created, maintained, or used by public educational institutions and agencies shall be protected in accordance with the Family Educational Rights and Privacy Act ( <a href="#">FERPA</a> ), 20 U.S.C. s. 1232g, implementing regulations, and this section.
<a href="#">s. 1002.221, F.S.</a>	K-12 education records	Provides for the confidentiality and release of student education records, as defined in the Family Educational Rights and Privacy Act ( <a href="#">FERPA</a> ).
<a href="#">s. 1002.23, F.S.</a>	Family and School Partnership for Student Achievement Act	Provides a parent guide that includes information on the importance of student health and available immunizations, and detailed information on meningococcal disease.
<a href="#">s. 1002.33, F.S.</a>	Charter schools	Section (16) provides that a charter school shall operate in accordance with its charter and shall be exempt from all statutes in chapters 1000-1013, F.S. with exceptions. An exception requires that a charter school shall be in compliance with those statutes in Chapters 1000-1013, F.S. pertaining to student health, safety, and welfare.
<a href="#">s. 1002.42, F.S.</a>	Private schools	School-entry health examinations and a certificate of immunization are required for school entry.
<a href="#">s. 1003.22, F.S.</a>	School-entry health examinations; immunization against communicable diseases	Public and private schools shall: require each child to present a school- entry examination performed within 1 year; provide for temporary exemptions; require a certificate of immunization on file; provide scoliosis screening.
<a href="#">s. 1003.25, F.S.</a>	Procedures for maintenance and transfer of student records	A permanent cumulative record is maintained for each student; DOE prescribes rules for transferring and maintaining student records. Student records are defined according to <a href="#">FERPA</a> . See <a href="#">s. 1002.22, F.S.</a>
<a href="#">s. 1003.42, F.S.</a>	Required instruction	Public school instructional staff shall teach comprehensive health education that addresses, among others: benefits of sexual abstinence, consequences of teenage pregnancy, personal health, prevention and control of disease.
<a href="#">s. 1003.453, F.S.</a>	School wellness and physical education policies; nutritional guidelines	DOE provides links to each district wellness and physical education policies and links that include information on the eight components of the coordinated school health program.



<a href="#">s. 1003.455, F.S.</a>	Physical education	Each school district shall adopt a written physical education (PE) policy and provide 150 minutes of PE each week for grades K-5.
<a href="#">s. 1003.46, F.S.</a>	Health education: instruction in acquired immune deficiency syndrome	School districts may provide instruction in acquired immune deficiency syndrome as a specific area of health education.
<a href="#">s. 1003.54, F.S.</a>	Teenage parent programs	Each district school board shall provide pregnant students or students who are parents and the children of these students with a comprehensive teenage parent program; including provisions for child care, health care, social services, parent education and transportation. See <a href="#">F.A.C. rule 6A-6.0525</a>
<a href="#">s. 1003.57, F.S.</a>	Exceptional student instruction	Provides for special instruction, classes, and services. A student may not be given special instruction or services as an exceptional student until after he or she has been properly evaluated, classified, and placed. See F.A.C. rule <a href="#">6A-6.0331</a> and F.A.C. rule <a href="#">64F-6.006</a>
<a href="#">s. 1006.061, F.S.</a>	Child abuse, abandonment, and neglect policy	Pursuant to Chapter 39, all employees and agents of the district school board have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect. See <a href="#">s. 39.201, F.S.</a> and <a href="#">s. 39.01, F.S.</a>
<a href="#">s. 1006.062, F.S.</a>	Administration of medication and provision of medical services by district school board personnel	Each district school board shall adopt policies governing the administration of prescription medication by district school board personnel and include in its approved school health services plan a procedure to provide training by a licensed health professional to the school personnel. Addresses delegation of health-related tasks by UAPs. See <a href="#">F.A.C. rule 64B9-14.002</a>
<a href="#">s. 1006.0625, F.S.</a>	Administration of psychotropic medication	A public school may not deny any student access to programs or services because the parent of the student has refused to place the student on psychotropic medication.
<a href="#">s. 1006.165, F.S.</a>	Automated external defibrillator; user training	Each public school that is a member of the Florida High School Athletic Association must have an operational automated external defibrillator on the school grounds; must ensure that all employees or volunteers who are reasonably expected to use the device obtain training, including completion of cardiopulmonary resuscitation or a basic first aid.
<a href="#">s. 1006.20, F.S.</a>	Athletics in public K-12 schools	The Florida High School Athletic Association is designated as the governing nonprofit organization of athletics in Florida public schools. All participating students must satisfactorily pass a preparticipation physical evaluation each year.
<a href="#">s. 1012.465, F.S.</a>	Background screening requirements for certain noninstructional school district employees and contractors	Noninstructional school district employees or contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students must meet level 2 screening requirements as described in <a href="#">s. 1012.32, F.S.</a> Contractual personnel include any vendor, individual, or entity under contract with a school or the school board. See <a href="#">s. 1012.467, F.S.</a> and <a href="#">s. 1012.468, F.S.</a>



<a href="#">s. 1012.55, F.S.</a>	Positions for which certificates required	Each person employed as a school nurse shall hold a license to practice nursing in the state, and each person employed as a school physician shall hold a license to practice medicine in the state.
<a href="#">s. 1014.06, F.S.</a>	Parental consent for health care services	Except as otherwise provided by law, a health care practitioner, as defined in <a href="#">s. 456.001, F.S.</a> , or an individual employed by such health care practitioner may not provide or solicit or arrange to provide health care services or prescribe medicinal drugs to a minor child without first obtaining written parental consent.
<a href="#">F.A.C. rule 6A-1.0955</a>	Education Records of Pupils and Adult Students	Education records shall mean those records, files, documents and other materials as defined in <a href="#">s. 1002.22(2), F.S.</a> which: contain information directly related to a student, maintained by an educational institution, and are accessible to other professional staff. Required health information is classified as a <i>Category B – temporary information</i> record. See <a href="#">F.A.C. rule 64F-6.005</a>
<a href="#">F.A.C. rule 6A-3.0121</a>	Responsibility of School District and Parents or Guardians for Students Who Are Transported at Public Expense	The operator and attendant shall be provided training related to students; however, the operator and attendant shall not give medicine and shall limit his or her assistance to that which may normally be expected of a reasonable, prudent person or as specified in the student’s Individual Educational Plan.
<a href="#">F.A.C. rule 6A-6.024</a>	School Entry Health Examination	This rule implements the school entry health examination requirements. See <a href="#">s. 1003.22, F.S.</a>
<a href="#">F.A.C. rule 6A-6.0251</a>	Use of Epinephrine Auto Injectors	This rule implements requirements for the self-administration of epinephrine auto-injectors by students. See <a href="#">s. 1002.20(3)(i), F.S.</a>
<a href="#">F.A.C. rule 6A-6.0252</a>	Use of Prescribed Pancreatic Enzyme Supplements	This rule implements requirements for the self-administration of pancreatic enzymes by students. See <a href="#">s. 1002.20(3)(k), F.S.</a>
<a href="#">F.A.C. rule 6A-6.0253</a>	Diabetes Management	This rule implements requirements for diabetes self-management management. See <a href="#">s. 1002.20(3)(j), F.S.</a>
<a href="#">F.A.C. rule 6A-6.0331</a>	Identification and Determination of Eligibility of Exceptional Students for Specially Designed Instruction	Screening for hearing and vision for the purpose of ruling out sensory deficits shall be required prior to conducting an evaluation to determine the student’s eligibility as a student with a disability. See <a href="#">F.A.C. rule 64F-6.006</a>
<a href="#">F.A.C. rule 6A-6.0525</a>	Teenage Parent Programs	School district Teenage Parent programs are designed to provide comprehensive educational and ancillary services to facilitate completion of high school. Districts shall develop and implement ancillary services for child care, social services, health services and transportation for pregnant and parenting students. Health services include health and nutrition education and routine prenatal/postnatal health checkups. See <a href="#">s. 1003.54, F.S.</a>



<a href="#">6AER21-01</a>	Pupil Attendance Records for COVID-19	Emergency rule issued by the Florida Department of Education in August 2021 to establish state-level guidance for Florida schools in response to the Governor’s Executive Order <a href="#">21.175</a> . This guidance relates to This rule conforms to Executive Order Number 21-175, which ordered the Florida Department of Health and the Florida Department of Education to immediately execute rules and to take any additional agency action necessary, using all legal means available to ensure safety protocols for controlling the spread of COVID-19 in schools that (1) do not violate Floridians’ constitutional freedoms; (2) do not violate parents’ rights under Florida law to make health care decisions for their minor children; and (3) protect children with disabilities or health conditions who would be harmed by certain protocols, such as face masking requirements. The order, which is incorporated by reference, located at <a href="https://www.fldoe.org/policy/state-board-of-edu/meetings/">https://www.fldoe.org/policy/state-board-of-edu/meetings/</a> , directs that any actions taken by school districts comply with the Parents’ Bill of Rights, codified in Sections 1014.02 – 1014.06, Fla. Stat., and “protect parents’ right to make decisions regarding masking of their children in relation to COVID-19.”
<a href="#">F.A.C. rule 64B9-14</a>	Delegation to Unlicensed Assistive Personnel	Provides definitions, delegation of tasks or activities, and prohibited tasks. Applies to county health department and school district registered nurses and licensed practical nurses providing health services in schools.
<a href="#">F.A.C. rule 64D-3.046</a>	Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, K-12, and Adult Education Classes	Provides immunization documentation requirements, specific immunization requirements by grade, and documentation requirements for schools. See <a href="#">s. 1003.22, F.S.</a>
<a href="#">F.A.C. rule 64E-16.004</a>	Biomedical Waste: Storage and Containment	Provides storage and containment requirements for biomedical waste that may be generated in school health rooms and stored in bags or sharps containers. See <a href="#">s. 381.0098, F.S.</a> and F.A.C. rule <a href="#">64E-16</a> for the full requirements.
<a href="#">64DER21-15</a>	Protocols for Controlling COVID-19 in School Settings	Emergency rule issued by the Florida Department of Health in September 2021 to establish state-level guidance for Florida schools in response to the Governor’s Executive Order <a href="#">21.175</a> . This guidance relates to cleaning of classrooms and high traffic areas, hand washing, masking of students with the option to be opted out by a parent or legal guardian of the student, protocols for symptomatic or COVID-19 positive students, and protocols for students with exposure to COVID-19 which includes allowing parents or legal guardians the right to choose how their child receives education after having direct contact with a positive COVID-19 individual.
<a href="#">F.A.C. rule 64F-6</a>	School Health Services Program	Provides definitions, requirements for the school health services plan, screening requirements, emergency health needs, records maintenance, and exceptional student education. See <a href="#">s.381.0056, F.S.</a>



<a href="#">F.A.C. rule 1B-24.003(1)(f)</a>	General Records Schedule GS7 for Public Schools Pre-K-12	Provides records retention and disposal instructions for school records. See <a href="#">GS7 General Records Schedule</a> for all educational records, including health related records.
<a href="#">F.A.C. rule 6A-2.0010</a>	Educational Facilities	Provides design and inspection standards for new and existing educational facilities – including clinics. See <a href="#">SREF 2014 – State Requirements for Educational Facilities</a> for the complete document.

\* Florida Statutes at [Online Sunshine](#) and Florida Rules at [Florida Administrative Code](#)