

Parents Rights and Responsibilities

YOUR RIGHTS AND RESPONSIBILITIES

- You may have a lawyer with you at any time during the investigation. If you choose to delay your interview with the investigator in order to have a lawyer with you, the investigator will continue to gather information from other people, including family members.
- You may video or audio tape your interview with the investigator, using your own equipment, if the recording equipment is immediately available.
- You may refuse the services and help offered to you by the investigator. If you refuse services, the law requires the investigator to decide if court oversight is needed to protect your child.
- The child's parent(s) and anyone alleged to have caused the abuse, neglect, or abandonment may ask for a copy of the investigative report.
- If your child is removed from your home, you have the right to hire a lawyer, be heard, and give evidence at the shelter hearing which will happen within 24 hours of your child leaving your home.
- If the investigation is closed with verified findings of child abuse, neglect or abandonment, the person named as the caregiver responsible for the abuse, neglect or abandonment in the report will be sent a Notice of Right to Internal Review. To ask for an internal review, the caregiver responsible for the abuse, neglect or abandonment named in the report must complete, sign and return the Request for Internal Review form to the address in the notice within 30 business days of receiving the notice.
- An internal review is not available to a caregiver responsible who is subject of a proceeding under Chapter 39, Florida Statutes; who is the subject of a pending criminal investigation related to the event which resulted in the verified finding of abuse, neglect or abandonment; who is facing pending criminal charges related to the event which resulted in verified finding of abuse, neglect or abandonment; or where the circumstances that resulted in the verified finding were later proven according to the applicable standard in a criminal or dependency proceeding.

PARENTS' BILL OF RIGHTS

Fla. Stat. 1014.03-1014.04

The state may not infringe on your fundamental rights as a parent to direct the upbringing, education, health care, and mental health of your minor child without demonstrating:

1. that such action is reasonable and necessary to achieve a compelling state interest, and

2. that such action is narrowly tailored, and is not otherwise served by a less restrictive means.

EDUCATION

As a Florida parent you have ...

- i. The right to direct the education and care of your minor child.
- ii. The right to direct the upbringing and the moral or religious training of your minor child.
- iii. The right to apply to enroll your minor child in a public school or, as an alternative to public education, a private school (including a religious school), a home education program, or other available options, as authorized by law.
- iv. The right to access and review all school records relating to your child.
- v. The right to access and review all medical records of your minor child, unless prohibited by law, or if you are the subject of an investigation of a crime committed against your minor child and a law enforcement agency or official requests that the information not be released
- vi. The right to consent in writing before a biometric scan of your minor child is made, shared, or stored. This includes the right to opt out of any district-level data collection relating to your minor child not required by law.
- vii. The right to learn about your child's course of study, including the source of any supplemental education materials. This includes the right to inspect school district instructional materials.
- viii. The right to object to instructional materials and other materials used in the classroom. Such objections may be based on beliefs regarding morality, sex, religion, or the belief that such materials are harmful.
- ix. The right to withdraw your minor child from any portion of the school district's required comprehensive health education that relates to sex education, instruction in AIDS education, or any instruction regarding sexuality, if the parent provides a written objection to his or her minor child's participation. This includes the right to be notified in advance of such course content so that you may withdraw your minor child from those portions of the course.
- x. The right to learn about the nature and purpose of clubs and activities offered at your minor child's school, including both those that are extracurricular or part of the school curriculum.

HEALTHCARE

As a Florida parent you have ...

- i. The right to make health care decisions for your minor child, unless otherwise prohibited by law.
- ii. The right to make medical decisions to address any needs of your minor child. This is a matter between you, your minor child, and a competent health care professional chosen by you.
- iii. The right to exempt your minor child from immunizations for religious reasons.

- iv. The right to help your minor child in a time of crisis before the initiation of an involuntary psychiatric examination, unless there is substantial likelihood that without care or treatment your minor child will cause serious bodily harm to themselves or others in the near future, as evidenced by recent behavior.
- v. The right to be notified immediately if your minor child is removed from school, school transportation, or a school-sponsored activity and taken to a receiving facility for an involuntary examination.
- vi. The right to refuse to give your minor child psychotropic/psychiatric drugs as a requirement for attendance or participation in public school services.
- vii. The right to refuse psychological screening of your minor child.
- viii. The right to opt your minor child out of any services offered under the school health services program by submitting a request in writing.
- ix. The right to withdraw your minor child from any portion of the school district's required comprehensive health education that relates to sex education, instruction in AIDS education, or any instruction regarding sexuality, if the parent provides a written objection to his or her minor child's participation. This includes the right to be notified in advance of such course content so that you may withdraw your minor child from those portions of the course.