

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public records requirements for
4 certain records of an educator who successfully
5 completes a recovery network treatment program;
6 providing an expiration date; providing a
7 finding of public necessity; providing a
8 contingent effective date.

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

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12 Section 1. Upon successful completion of a treatment
13 program as provided in section 231.263(6)(c), Florida
14 Statutes, as amended by Committee Substitute for Senate Bill
15 2432, and full compliance with a deferred prosecution
16 agreement between an educator and the Department of Education,
17 entered into pursuant to that section, the investigative
18 records of the educator which relate to treatment received are
19 exempt from disclosure provisions of Section 24(a) of Article
20 I of the State Constitution and section 119.07(1), Florida
21 Statutes. This exemption is subject to the Open Government
22 Sunset Review Act in accordance with section 119.15, Florida
23 Statutes, and expires on October 2, 2005, unless reviewed and
24 reenacted by the Legislature.

25 Section 2. The Legislature finds that it is a public
26 necessity that the records described in section 1 of this act
27 be held confidential in order to promote the rehabilitation of
28 impaired educators. Furthermore, the Legislature finds that it
29 would encourage participation in the recovery network program
30 for educators and reduce the teacher shortage in the state if

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1 the confidentiality of records pertaining to participation in
2 the program encouraged more participation in the program.

3 Section 3. This act shall take effect on the effective
4 date of Committee Substitute for Senate Bill 2432 or similar
5 legislation, relating to the network recovery treatment
6 program, and shall not take effect if that legislation does
7 not become a law.

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