

1 A bill to be entitled
2 An act relating to prevention and amelioration
3 of learning problems and learning disabilities
4 in young children; authorizing a 3-year
5 demonstration program to be called Learning
6 Gateway; creating a steering committee;
7 providing for membership and appointment of
8 steering committee members; establishing duties
9 of the steering committee; authorizing
10 demonstration projects in three counties;
11 authorizing designated agencies to share
12 confidential information with Learning Gateway
13 programs; amending s. 228.093, F.S.; providing
14 access to student records by Learning Gateway
15 programs and the Learning Gateway steering
16 committee; providing for funding; providing an
17 effective date.

18
19 WHEREAS, learning problems in children encompass all
20 areas of development and may affect cognition; communication;
21 attention; perception; behavior; and social, emotional,
22 sensory, and motor functioning, and

23 WHEREAS, learning problems and learning disabilities
24 place children at risk for significant learning and adaptation
25 problems in school, and, over time, adversely affect students'
26 school performance as well as their social, physical, and
27 emotional functioning and quality of life, and

28 WHEREAS, the impact of learning problems on a child's
29 school performance, such as grade retention and referrals to
30 special education, may not be evident until the elementary
31 school years, but warning signs or precursors of learning

1 problems and learning disabilities are exhibited much earlier,
2 and

3 WHEREAS, new research identifies factors that predict
4 which children are at risk of early learning problems prior to
5 school age, including biological, environmental, and
6 behavioral risks, and

7 WHEREAS, while no single risk factor can accurately
8 predict the occurrence of a learning disability, the presence
9 of multiple risks assists in identifying those children who
10 are most vulnerable, and

11 WHEREAS, recent advances in brain research show that
12 the greatest potential to influence a child's developing brain
13 exists during early years of life, and that the environment
14 sculpts the young child's brain as neurons form connections
15 and mature in response to stimulation and the environment, and

16 WHEREAS, strategies to successfully intervene and
17 instruct before the children experience failure in the early
18 elementary grades are being tested and disseminated by a
19 variety of demonstration research settings but are not widely
20 implemented in general practice, and

21 WHEREAS, identification of potential learning problems
22 is essential to facilitate the provision of services to
23 children during the critical years of development, but
24 inappropriate assessments of young children can create
25 inaccurate, stigmatizing long-term misperceptions about the
26 child's potential as a competent learner and citizen, and

27 WHEREAS, specific programs exist to provide services to
28 children with established disabling conditions and
29 moderate-to-severe developmental delays that qualify under
30 Part C and Part B of the Individuals with Disabilities
31 Education Act (IDEA) and to their families, and

1 WHEREAS, few, if any, programs exist that specifically
2 target children with early learning problems and mild
3 developmental delays, and these children frequently do not
4 qualify for services or supports provided through
5 federally-funded programs such as Part C and Part B of the
6 IDEA, and

7 WHEREAS, providers of education, health services,
8 mental health services, and other systems of care for children
9 and their families may be unaware of or untrained in current
10 research on early warning signs and effective instructional
11 strategies and methods of intervention, and

12 WHEREAS, parents are usually the best and most
13 important source of support for their children, but access to
14 information and services is often inconsistent and fragmented
15 across the state, and

16 WHEREAS, the benefits to be generated by early
17 identification and intervention with learning problems,
18 learning disabilities, and mild developmental delays are
19 significant in the lives of children and families, NOW,
20 THEREFORE,

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Learning Gateway.--

25 (1) The Legislature authorizes a 3-year demonstration
26 program, to be called the Learning Gateway, the purpose of
27 which is to design and test an integrated community-based
28 system to lessen the effects of early learning problems and
29 learning disabilities for children from birth through age 9
30 through prevention, early identification, early education, and
31 intervention. The goals of the Learning Gateway are to:

1 (a) Improve community awareness and education of
2 parents and practitioners about the warning signs or
3 precursors of learning problems and learning disabilities,
4 including disorders or delayed development in language,
5 attention, behavior, and social-emotional functioning,
6 including dyslexia and attention deficit hyperactivity
7 disorder, in children from birth through age 9.

8 (b) Improve access for children who are experiencing
9 early learning problems and their families to appropriate
10 programs, services, and supports through improved outreach and
11 referral processes among providers.

12 (c) Improve developmental monitoring and the
13 availability of appropriate screening resources, with emphasis
14 on children from birth through age 9 who are at high risk of
15 having learning problems.

16 (d) Improve the availability of appropriate education
17 and intervention programs, services, and supports to address
18 learning problems and learning disabilities; address gaps in
19 the array of services and supports so that an appropriate
20 child-centered and family-centered continuum of education and
21 support is readily available in each community.

22 (e) Improve accountability of the system through
23 improved planning, integration, and collaboration among
24 providers and through outcome measurement.

25 (2) Learning Gateway Steering Committee.--

26 (a) To ensure that children with potential learning
27 problems and learning disabilities have access to the
28 appropriate necessary services and supports, a 23-member
29 steering committee is created. The steering committee is
30 assigned to the Department of Education for administrative
31 purposes.

1 (b) The duties of the Learning Gateway Steering
2 Committee are to provide policy development, consultation,
3 oversight, and support for the implementation of three
4 demonstration programs, and to advise the agencies, the
5 Legislature, and the Governor on statewide implementation of
6 system components and issues and of strategies for continuing
7 improvement to the system.

8 (c) The steering committee shall direct the
9 administering agency of the Learning Gateway program to
10 procure the products delineated in section 2 of this act
11 through contracts or other means.

12 (d) The steering committee must include
13 representatives of the disciplines relevant to diagnosis of
14 and intervention in early learning problems. The Governor
15 shall appoint one member having expertise in education, one
16 member having expertise in speech and language pathology, one
17 member having expertise in audiology, one member who is a
18 parent of a child eligible for services by the Learning
19 Gateway, and one provider of related diagnostic and
20 intervention services. The President of the Senate shall
21 appoint one member having expertise in psychiatry, one member
22 having expertise in pediatrics, one member having expertise in
23 psychology, one member who is a parent of a child eligible for
24 services by the Learning Gateway, and one member who is a
25 provider of related diagnostic and intervention services. The
26 Speaker of the House of Representatives shall appoint one
27 member having expertise in genetics, one member having
28 expertise in occupational and physical therapy, one member
29 having expertise in social work, one parent of a child
30 eligible for services by the Learning Gateway, and one member
31

1 who is a school psychologist providing diagnostic and
2 intervention services.

3 (e) To support and facilitate system improvements, the
4 steering committee must also include representatives from the
5 Department of Education, the Department of Health, the Florida
6 Partnership for School Readiness, the Department of Children
7 and Family Services, the Agency for Health Care
8 Administration, the Department of Juvenile Justice, and the
9 Department of Corrections and the director of the Learning
10 Development and Evaluation Center of Florida Agricultural and
11 Mechanical University.

12 (f) Steering committee appointments must be made, and
13 the committee must hold its first meeting, within 45 days
14 after this act takes effect. The Governor shall designate as
15 chairman one of the committee members listed in paragraph (d).

16 (3) Learning Gateway Demonstration Projects.--

17 (a) Within 90 days after its initial meeting, the
18 Learning Gateway Steering Committee shall accept proposals
19 from interagency consortia in Broward, Manatee, and St. Lucie
20 counties which comprise public and private providers,
21 community agencies, business representatives, and the local
22 school board in each county to serve as demonstration sites
23 for design and development of a system that addresses the
24 requirements in section 2 of this act. Multi-county
25 collaboration is encouraged, where appropriate.

26 (b) The proposals for demonstration projects must
27 provide a comprehensive and detailed description of the system
28 of care. The description of the proposed system of care must
29 clearly indicate the point of access, integration of services,
30 linkages of providers, and additional array of services

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1 required to address the needs of the targeted children and
2 families.

3 (c) The demonstration projects should ensure that the
4 system of care appropriately includes existing services to the
5 fullest extent possible and should determine additional
6 programs, services, and supports that are necessary to
7 implement the requirements of this act.

8 (d) The projects, in conjunction with the steering
9 committee, shall determine what portion of the system can be
10 funded using existing funds, demonstration funds provided by
11 this act, and other available private and community funds.

12 (e) The demonstration projects shall recommend to the
13 steering committee the linking or combining of some or all of
14 the local planning bodies, including school readiness
15 coalitions, Healthy Start coalitions, Part C advisory
16 councils, Department of Children and Family Services community
17 alliances, and other boards or councils that have a primary
18 focus on children from birth to age 9, to the extent allowed
19 by federal regulations, if such changes would improve
20 coordination and reduce unnecessary duplication of effort.

21 (f) Demonstration projects shall use public and
22 private partnerships, partnerships with faith-based
23 organizations, and volunteers, as appropriate, to enhance
24 accomplishment of the goals of the system.

25 (g) Addressing system components delineated in section
26 2 of this act, each demonstration project proposal must
27 include, at a minimum:

28 1. A method for establishing communication,
29 coordination, and planning processes within the community.

30 2. Action steps for making appropriate linkages to
31 existing services within the community.

1 3. Procedures to determine gaps in services and
2 identify appropriate providers.

3 4. Plans to contract for specialty services as needed.

4 5. Plans to provide additional direct service, if
5 necessary, with a limit of self-referrals.

6 6. A lead agency to serve as the system access point,
7 or gateway.

8 (h) As authorized under the budget authority of the
9 Department of Education, demonstration projects,
10 representative of the diversity of the communities in this
11 state, shall be established in Broward, Manatee, and St. Lucie
12 counties as local Learning Gateway sites and shall be
13 authorized to hire staff, establish office space, and contract
14 with private providers as needed to implement the project
15 within the budget designated by the Legislature.

16 (i) The steering committee must approve, deny, or
17 conditionally approve a Learning Gateway proposal within 60
18 days after receipt of the proposal. If a proposal is
19 conditionally approved, the steering committee must assist the
20 Learning Gateway applicant to correct deficiencies in the
21 proposal by December 1, 2001. Funds must be available to a
22 pilot program 15 days after final approval of its proposal by
23 the steering committee. Funds must be available to all pilot
24 programs by January 1, 2002.

25 Section 2. Components of the Learning Gateway.--

26 (1) The Learning Gateway system consists of the
27 following components:

28 (a) Community education and family-oriented access
29 strategies.--

30 1. Each local demonstration project shall establish an
31 access point to provide the system access point, or gateway,

1 by which parents can receive information about available
2 appropriate services. An existing public or private agency or
3 provider or new provider may serve as the system gateway. The
4 local Learning Gateway should provide parents and caretakers
5 with a single point of access for screening, assessment, and
6 referral for services for children ages birth through age 9.
7 The demonstration projects have the budgetary authority to
8 hire appropriate personnel to perform the required functions.
9 These staff members must be knowledgeable about child
10 development, early identification of learning problems and
11 learning disabilities, family service planning, and services
12 in the local area. If the following services are not provided
13 by existing service systems, the gateway provider shall:
14 a. Conduct intake with families.
15 b. Conduct appropriate screening or refer for such
16 services.
17 c. Conduct needs/strengths-based family assessment.
18 d. Develop family resource plans.
19 e. Make referrals for needed services and assist
20 families in the application process.
21 f. Provide service coordination as needed by families.
22 g. Assist families in establishing a medical home.
23 h. Conduct case management and transition planning as
24 necessary.
25 i. Monitor performance of service providers against
26 appropriate standards.
27 2. The Learning Gateway Steering Committee and
28 demonstration projects shall designate a central information
29 and referral access phone number in each pilot community. This
30 centralized phone number should be used to increase public
31 awareness and to improve access to local supports and services

1 for children from birth through age 9 and their families. The
2 number should be highly publicized as the primary source of
3 information on services for young children. The telephone
4 staff should be trained and supported to offer accurate and
5 complete information and to make appropriate referrals to
6 existing public and private community agencies.

7 3. In collaboration with local resources such as
8 Healthy Start, the demonstration projects shall develop
9 strategies for providing systematic hospital visits or home
10 visits by trained staff to new mothers. The Learning Gateway
11 Steering Committee shall provide technical assistance to local
12 demonstration projects in developing brochures and other
13 materials to be distributed to parents of newborns.

14 4. In collaboration with other local resources, the
15 demonstration projects shall develop public awareness
16 strategies to disseminate information about developmental
17 milestones, precursors of learning problems and other
18 developmental delays, and the service system that is
19 available. The information should target parents of children
20 from birth through age 9 and should be distributed to parents,
21 health care providers, and caregivers of children from birth
22 through age 9. A variety of media should be used as
23 appropriate, such as print, television, radio, and a
24 community-based internet web site, as well as opportunities
25 such as those presented by parent visits to physicians for
26 well-child check ups. The Learning Gateway Steering Committee
27 shall provide technical assistance to the local demonstration
28 projects in developing and distributing educational materials
29 and information.

30 a. Public awareness strategies targeting parents of
31 children from birth through age 5 shall be designed to provide

1 information to public and private preschool programs,
2 childcare providers, pediatricians, parents, and local
3 business and organizations. These strategies should include
4 information on the school readiness performance standards for
5 kindergarten adopted by the School Readiness Partnership
6 Board.

7 b. Public awareness strategies targeting parents of
8 children from ages 6 through 9 must be designed to disseminate
9 training materials and brochures to parents and public and
10 private school personnel, and must be coordinated with the
11 local school board and the appropriate school advisory
12 committees in the demonstration projects. The materials
13 should contain information on state and district proficiency
14 levels for grades K-3.

15 (b) Screening and developmental monitoring.--

16 1. In coordination with the Partnership for School
17 Readiness, the Department of Education, and the Florida
18 Pediatric Society, and using information learned from the
19 local demonstration projects, the Learning Gateway Steering
20 Committee shall establish guidelines for screening children
21 from birth through age 9. The guidelines should incorporate
22 recent research on the indicators most likely to predict early
23 learning problems, mild developmental delays, child-specific
24 precursors of school failure, and other related developmental
25 indicators in the domains of cognition; communication;
26 attention; perception; behavior; and social, emotional,
27 sensory, and motor functioning. The steering committee should
28 assist projects in developing and testing screening processes
29 to address social/emotional/behavioral interactions between
30 the child and caregiver which could indicate future problems
31 or delays.

1 2. Based on the guidelines established by the steering
2 committee and in cooperation with the Florida Pediatric
3 Society, the steering committee shall adopt a comprehensive
4 checklist for child healthcare checkups and a corresponding
5 training package for physicians and other medical personnel in
6 implementing more effective screening for precursors of
7 learning problems, learning disabilities, and mild
8 developmental delays.

9 3. Using the screening guidelines developed by the
10 steering committee, local demonstration projects should engage
11 local physicians and other medical professionals in enhancing
12 the screening opportunities presented by immunization visits
13 and other well-child appointments, in accordance with the
14 American Academy of Pediatrics Periodicity Schedule.

15 4. Using the screening guidelines developed by the
16 steering committee, the demonstration projects shall develop
17 strategies to increase early identification of precursors to
18 learning problems and learning disabilities through improved
19 screening and referral practices within public and private
20 early care and education programs and K-3 public and private
21 school settings. Strategies may include training and
22 technical assistance teams to assist program providers and
23 teachers. Personnel should refer those children who exhibit
24 potential learning problems to the appropriate community
25 resource for further evaluation and services. The program
26 shall collaborate appropriately with the school readiness
27 coalitions, local school boards, and other community resources
28 in arranging and providing training and technical assistance
29 for early identification and screening.

30 5. The demonstration project shall work with
31 appropriate local entities to reduce the duplication of

1 cross-agency screening in each demonstration project area.
2 Demonstration projects shall provide opportunities for public
3 and private providers of screening and assessment at each age
4 level to meet periodically to identify screening practices
5 where gaps or duplication of efforts exists.

6 6. Based on technical assistance and support provided
7 by the steering committee and in conjunction with the school
8 readiness coalitions and other appropriate entities,
9 demonstration projects shall develop a system to log the
10 number of children screened, assessed, and referred for
11 services. After development and testing, tracking should be
12 supported by a standard electronic data system for screening
13 and assessment information.

14 7. In conjunction with the technical assistance of the
15 steering committee, demonstration projects shall develop a
16 system for targeted screening. The projects should conduct a
17 needs assessment of existing programs and services where
18 targeted screening programs should be offered. Based on the
19 results of the needs assessment, procedures must be
20 established within the demonstration community to ensure that
21 periodic developmental screening is conducted for children
22 from birth through age 9 who are served by state intervention
23 programs or whose parents or caregivers are in state
24 intervention programs. Intervention programs for children,
25 parents, and caregivers include those administered or funded
26 by the:

- 27 a. Agency for Health Care Administration;
28 b. Department of Children and Family Services;
29 c. Department of Corrections and other criminal
30 justice programs;
31 d. Department of Education;

1 e. Department of Health; and

2 f. Department of Juvenile Justice.

3 8. When results of screening suggest developmental
4 problems, potential learning problems, or learning
5 disabilities, the intervention program shall refer the child
6 to the Learning Gateway for coordination of further
7 assessment. The Learning Gateway shall make referrals to the
8 appropriate entities within the service system.

9 9. The local Learning Gateway shall provide for
10 followup contact to all families whose children were found
11 ineligible for services under Part B or Part C of the IDEA.

12 10. In consultation with the steering committee,
13 demonstration projects shall pilot the expansion of newborn
14 screening to include tandem mass spectrometry, pursuant to
15 section 383.14, Florida Statutes, with the intention of
16 statewide implementation at the earliest feasible date.

17 11. Demonstration projects shall pilot an automatic
18 referral of high-risk newborns by the Office of Vital
19 Statistics to the local Learning Gateway. Upon receipt of
20 referral, staff of the local Learning Gateway shall contact
21 the parents and provide information about available services.
22 Parental consent is required for further referral for
23 evaluation and services. The procedures established must be
24 consistent with applicable confidentiality requirements.

25 12. Notwithstanding any law to the contrary, each
26 agency identified in paragraph 7. is authorized to share with
27 a Learning Gateway program confidential information exempt
28 from disclosure under chapter 119, Florida Statutes, on any
29 individual who is or has been the subject of a developmental
30 screening within the jurisdiction of each agency.

31 (c) Early education, services and supports.--

1 1. The demonstration projects shall develop a model
2 system of care that builds upon, integrates, and fills the
3 gaps in existing services. Qualified providers of
4 family-based or center-based interventions or public and
5 private school personnel shall offer services in a manner
6 consistent with the standards established by their profession
7 and by the standards and criteria adopted by the steering
8 committee and consistent with effective and proven strategies.
9 The specific services and supports may include:

10 a. High-quality early education and care programs.

11 b. Assistance to parents and other caregivers, such as
12 home-based modeling programs for parents and play programs to
13 provide peer interactions.

14 c. Speech and language therapy that is age
15 appropriate.

16 d. Parent education and training.

17 e. Comprehensive medical screening and referral with
18 biomedical interventions as necessary.

19 f. Referral as needed for family therapy, other mental
20 health services, and treatment programs.

21 g. Family support services as necessary.

22 h. Therapy for learning differences in reading and
23 math, and attention to subject material for children in grades
24 K to 3.

25 i. Referral for Part B or Part C services as required.

26 j. Expanded access to community-based services for
27 parents.

28 k. Parental choice in the provision of services by
29 public and private providers.

30 2. Demonstration projects shall develop strategies to
31 increase the use of appropriate intervention practices with

1 children who have learning problems and learning disabilities
2 within public and private early care and education programs
3 and K-3 public and private school settings. Strategies may
4 include training and technical assistance teams. Intervention
5 must be coordinated and must focus on providing effective
6 supports to children and their families within their regular
7 education and community environment. These strategies must
8 incorporate, as appropriate, school and district activities
9 related to the student's academic improvement plan and must
10 provide parents with greater access to community-based
11 services that should be available beyond the traditional
12 school day. Academic expectations for public school students
13 in grades K-3 must be based upon the local school board's
14 adopted proficiency levels. When appropriate, school
15 personnel shall consult with the local Learning Gateway to
16 identify other community resources for supporting the child
17 and the family.

18 3. The steering committee, in conjunction with local
19 demonstration projects and local school boards, may develop a
20 plan for creating incentives for educators and parents or
21 caregivers to use appropriate practices for young children
22 from birth through age 9 which address the unique needs of
23 children who are at risk of learning problems and learning
24 disabilities that may impede success in school. Incentives
25 should be awarded based on the integration of instructional
26 strategies, staffing ratios, staff training requirements,
27 family involvement, and other specialized services and
28 supports that are designed to meet the unique needs of all
29 learners.

30 4. The steering committee shall work toward the goal
31 of ensuring that every teacher has the ability to identify and

1 properly respond to children who have learning problems and
2 learning disabilities. In cooperation with the universities in
3 the state and the Department of Education, the steering
4 committee shall identify competencies for instructional
5 personnel to address learning problems and learning
6 disabilities that may impede school success. These
7 competencies must be used to develop or adopt research-based
8 preservice and inservice training programs for teachers and
9 personnel in public and private early care and education
10 programs and grades preK-3. Each teacher preparation program
11 in the state university system must require a minimum of 3
12 hours of credit in coursework in normal child development and
13 the disorders of development.

14 5. The steering committee shall work with the
15 Department of Education to ensure that certification and
16 recertification requirements prepare teachers to identify
17 developmental problems in students and to use research-based,
18 effective instructional and behavioral strategies for speech
19 and language development, emerging literacy, and
20 developmentally appropriate practices and learning strategies
21 for diverse learners.

22 6. The steering committee, in cooperation with the
23 Florida Partnership for School Readiness, shall identify the
24 elements of an effective research-based curriculum for early
25 care and education programs.

26 7. The steering committee, in conjunction with the
27 demonstration projects, shall develop processes for
28 identifying and sharing promising practices and shall showcase
29 these programs and practices at the dissemination conference.
30 As funding is available, the committee may recommend monetary
31 awards to programs selected as "promising practices" to be

1 used for program enhancements. Processes for selecting
2 promising practices should include:

3 a. Establishing criteria for selection, including
4 length of time in operation and evidence of effectiveness
5 (outcome data);

6 b. Establishing a nomination process;
7 c. Establishing a review panel and review process;
8 d. Making the selection based on a written
9 description;

10 e. Conducting a site visit;
11 f. Completing the selections; and
12 g. Disseminating program descriptions.

13 8. The steering committee shall establish processes
14 for facilitating state and local providers' ready access to
15 information and training concerning effective instructional
16 and behavioral practices and interventions based on advances
17 in the field and for encouraging researchers to regularly
18 guide practitioners in designing and implementing
19 research-based practices. At a minimum, the steering committee
20 shall assist the demonstration projects in conducting periodic
21 conferences to ensure the dissemination of information on best
22 practices and new insights about early identification,
23 education, and intervention for children from birth through
24 age 9. The conference should be established so that continuing
25 education credits may be awarded to medical professionals,
26 teachers, and others for whom this is an incentive.

27 9. Demonstration projects shall investigate and may
28 recommend to the steering committee more effective resource
29 allocation and flexible funding strategies such as central
30 financing, if such strategies are in the best interest of the
31 children and families in the community. The Department of

1 Education and other relevant agencies shall assist the
2 demonstration projects in securing state and federal waivers
3 as appropriate. Effectiveness of interventions, such as
4 reduced referrals to special education, should not negatively
5 affect the schools' or district's budget.

6 Section 3. Accountability.--

7 (1) The steering committee shall assist the School
8 Readiness Estimating Conference and the Enrollment Conference
9 for Public Schools in developing estimates of the population
10 of children from birth through age 9 who are at risk of
11 learning problems and learning disabilities by establishing
12 cross-agency standards for data collection and sharing.

13 (2) The steering committee, in conjunction with the
14 demonstration projects, shall develop accountability
15 mechanisms to ensure that the demonstration programs are
16 effective and that resources are used as efficiently as
17 possible. Accountability should be addressed through a
18 multilevel evaluation system, including measurement of
19 outcomes and operational indicators. Measurable outcomes must
20 be developed to address improved family functioning, improved
21 child development, improved child health, and success in
22 school. Indicators of system improvements must be developed
23 to address quality of programs and integration of services.
24 Agency monitoring of programs shall include a review of child
25 and family outcomes and system effectiveness indicators with a
26 specific focus on elimination of unnecessary duplication of
27 planning, screening, and services.

28 (3) The steering committee shall oversee a formative
29 evaluation of the project during implementation, including
30 reporting short-term outcomes and system improvements. By
31 January 2003, the steering committee shall make

1 recommendations to the Governor, the President of the Senate,
2 the Speaker of the House of Representatives, and the
3 Commissioner of Education related to the merits of expansion
4 of the demonstration projects.

5 (4) The steering committee, at any time, may recommend
6 statewide expansion of any component of the system which has
7 demonstrated effectiveness as documented by the formative
8 evaluation.

9 (5) If statewide expansion of the comprehensive system
10 is recommended after the second year of the program, the
11 steering committee, in conjunction with the demonstration
12 projects, shall develop state-level and community-based
13 strategic plans to formalize the goals, objectives,
14 strategies, and intended outcomes of the comprehensive system,
15 and to support the integration and efficient delivery of all
16 services and supports for children from birth through age 9
17 who have learning problems or learning disabilities. In
18 conjunction with the demonstration projects, the steering
19 committee shall develop a statewide strategic plan for
20 implementing a model system statewide. Community-level
21 strategic plans must include, but need not be limited to,
22 strategies to:

23 (a) Improve early identification of those who are at
24 risk for learning problems and learning disabilities;

25 (b) Provide access to an appropriate array of services
26 within the child's natural environment or regular classroom
27 setting or specialized training in other settings;

28 (c) Improve and coordinate screening for children from
29 birth through age 9;

30 (d) Improve and coordinate services for children from
31 birth through age 9;

1 (e) Address training of professionals in effectively
2 identifying factors, across all domains, which place children
3 from birth through age 9 at risk of school failure and in
4 appropriate interventions for the learning differences;

5 (f) Provide appropriate support to families;

6 (g) Share best practices with caregivers and referral
7 sources;

8 (h) Address resource needs of the assessment and
9 intervention system; and

10 (i) Address development of implementation plans to
11 identify action steps, responsible parties, and implementation
12 schedules, and to ensure appropriate alignment with agency
13 strategic plans.

14 Section 4. Paragraph (d) of subsection (3) of section
15 228.093, Florida Statutes, is amended to read:

16 228.093 Pupil and student records and reports; rights
17 of parents, guardians, pupils, and students; notification;
18 penalty.--

19 (3) RIGHTS OF PARENT, GUARDIAN, PUPIL, OR
20 STUDENT.--The parent or guardian of any pupil or student who
21 attends or has attended any public school, area
22 vocational-technical training center, community college, or
23 institution of higher education in the State University System
24 shall have the following rights with respect to any records or
25 reports created, maintained, and used by any public
26 educational institution in the state. However, whenever a
27 pupil or student has attained 18 years of age, or is attending
28 an institution of postsecondary education, the permission or
29 consent required of, and the rights accorded to, the parents
30 of the pupil or student shall thereafter be required of and
31 accorded to the pupil or student only, unless the pupil or

1 student is a dependent pupil or student of such parents as
2 defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue
3 Code of 1954). The State Board of Education shall formulate,
4 adopt, and promulgate rules whereby parents, guardians,
5 pupils, or students may exercise these rights:

6 (d) Right of privacy.--Every pupil or student shall
7 have a right of privacy with respect to the educational
8 records kept on him or her. Personally identifiable records or
9 reports of a pupil or student, and any personal information
10 contained therein, are confidential and exempt from the
11 provisions of s. 119.07(1). No state or local educational
12 agency, board, public school, area technical center, community
13 college, or institution of higher education in the State
14 University System shall permit the release of such records,
15 reports, or information without the written consent of the
16 pupil's or student's parent or guardian, or of the pupil or
17 student himself or herself if he or she is qualified as
18 provided in this subsection, to any individual, agency, or
19 organization. However, personally identifiable records or
20 reports of a pupil or student may be released to the following
21 persons or organizations without the consent of the pupil or
22 the pupil's parent:

23 1. Officials of schools, school systems, area
24 technical centers, community colleges, or institutions of
25 higher learning in which the pupil or student seeks or intends
26 to enroll; and a copy of such records or reports shall be
27 furnished to the parent, guardian, pupil, or student upon
28 request.

29 2. Other school officials, including teachers within
30 the educational institution or agency, who have legitimate
31

1 educational interests in the information contained in the
2 records.

3 3. The United States Secretary of Education, the
4 Director of the National Institute of Education, the Assistant
5 Secretary for Education, the Comptroller General of the United
6 States, or state or local educational authorities who are
7 authorized to receive such information subject to the
8 conditions set forth in applicable federal statutes and
9 regulations of the United States Department of Education, or
10 in applicable state statutes and rules of the State Board of
11 Education.

12 4. Other school officials, in connection with a
13 pupil's or student's application for or receipt of financial
14 aid.

15 5. Individuals or organizations conducting studies for
16 or on behalf of an institution or a board of education for the
17 purpose of developing, validating, or administering predictive
18 tests, administering pupil or student aid programs, or
19 improving instruction, if such studies are conducted in such a
20 manner as will not permit the personal identification of
21 pupils or students and their parents by persons other than
22 representatives of such organizations and if such information
23 will be destroyed when no longer needed for the purpose of
24 conducting such studies.

25 6. Accrediting organizations, in order to carry out
26 their accrediting functions.

27 7. School readiness coalitions and the Florida
28 Partnership for School Readiness in order to carry out their
29 assigned duties.

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1 8. Learning Gateway programs and the Learning Gateway
2 steering committee in order to carry out their assigned
3 duties.

4 ~~9.8.~~ For use as evidence in pupil or student expulsion
5 hearings conducted by a district school board pursuant to the
6 provisions of chapter 120.

7 ~~10.9.~~ Appropriate parties in connection with an
8 emergency, if knowledge of the information in the pupil's or
9 student's educational records is necessary to protect the
10 health or safety of the pupil, student, or other individuals.

11 ~~11.10.~~ The Auditor General in connection with his or
12 her official functions; however, except when the collection of
13 personally identifiable information is specifically authorized
14 by law, any data collected by the Auditor General is
15 confidential and exempt from the provisions of s. 119.07(1)
16 and shall be protected in such a way as will not permit the
17 personal identification of students and their parents by other
18 than the Auditor General and his or her staff, and such
19 personally identifiable data shall be destroyed when no longer
20 needed for the Auditor General's official use.

21 ~~12.11.~~a. A court of competent jurisdiction in
22 compliance with an order of that court or the attorney of
23 record pursuant to a lawfully issued subpoena, upon the
24 condition that the pupil or student and the pupil's or
25 student's parent are notified of the order or subpoena in
26 advance of compliance therewith by the educational institution
27 or agency.

28 b. A person or entity pursuant to a court of competent
29 jurisdiction in compliance with an order of that court or the
30 attorney of record pursuant to a lawfully issued subpoena,
31 upon the condition that the pupil or student, or his or her

1 parent if the pupil or student is either a minor and not
2 attending an institution of postsecondary education or a
3 dependent of such parent as defined in 26 U.S.C. s. 152 (s.
4 152 of the Internal Revenue Code of 1954), is notified of the
5 order or subpoena in advance of compliance therewith by the
6 educational institution or agency.

7 13.12- Credit bureaus, in connection with an agreement
8 for financial aid which the student has executed, provided
9 that such information may be disclosed only to the extent
10 necessary to enforce the terms or conditions of the financial
11 aid agreement. Credit bureaus shall not release any
12 information obtained pursuant to this paragraph to any person.

13 1413- Parties to an interagency agreement among the
14 Department of Juvenile Justice, school and law enforcement
15 authorities, and other signatory agencies for the purpose of
16 reducing juvenile crime and especially motor vehicle theft by
17 promoting cooperation and collaboration, and the sharing of
18 appropriate information in a joint effort to improve school
19 safety, to reduce truancy, in-school and out-of-school
20 suspensions, to support alternatives to in-school and
21 out-of-school suspensions and expulsions that provide
22 structured and well-supervised educational programs
23 supplemented by a coordinated overlay of other appropriate
24 services designed to correct behaviors that lead to truancy,
25 suspensions, and expulsions, and which support students in
26 successfully completing their education. Information provided
27 in furtherance of such interagency agreements is intended
28 solely for use in determining the appropriate programs and
29 services for each juvenile or the juvenile's family, or for
30 coordinating the delivery of such programs and services, and
31 as such is inadmissible in any court proceedings prior to a

1 dispositional hearing unless written consent is provided by a
2 parent, guardian, or other responsible adult on behalf of the
3 juvenile.

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5 This paragraph does not prohibit any educational institution
6 from publishing and releasing to the general public directory
7 information relating to a pupil or student if the institution
8 elects to do so. However, no educational institution shall
9 release, to any individual, agency, or organization which is
10 not listed in subparagraphs 1.-13., directory information
11 relating to the student body in general or a portion thereof
12 unless it is normally published for the purpose of release to
13 the public in general. Any educational institution making
14 directory information public shall give public notice of the
15 categories of information which it has designated as directory
16 information with respect to all pupils or students attending
17 the institution and shall allow a reasonable period of time
18 after such notice has been given for a parent, guardian,
19 pupil, or student to inform the institution in writing that
20 any or all of the information designated should not be
21 released.

22 Section 5. The Legislature shall appropriate a sum of
23 money to fund the demonstration programs and shall authorize
24 selected communities to blend funding from existing programs
25 to the extent that this is advantageous to the community and
26 is consistent with federal requirements.

27 Section 6. This act shall take effect upon becoming a
28 law.

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