

1  
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

31

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  
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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~~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~~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.

4  
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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