

By the Committee on General Education and Representatives  
Harrell and Fiorentino

1                                   A bill to be entitled  
2           An act relating to public records; providing an  
3           exemption from the public records law for  
4           personal identifying information of children  
5           enrolled in the Learning Gateway Project;  
6           providing for future legislative review and  
7           repeal; providing a finding of public  
8           necessity; providing a contingent effective  
9           date.

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

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13           Section 1. Records of children in the Learning Gateway  
14 Project.--All personal identifying information held by a  
15 Learning Gateway Center regarding a child served by a Learning  
16 Gateway Center is confidential and exempt from s. 119.07(1),  
17 Florida Statutes, and s. 24(a), Art. I of the State  
18 Constitution. Such information includes, but is not limited  
19 to, the child's, parent's, or legal guardian's name, address,  
20 telephone number, or social security number. A parent or  
21 guardian may inspect and copy the individual Learning Gateway  
22 Center record of his or her child. This section is subject to  
23 the Open Government Sunset Review Act of 1995 in accordance  
24 with s. 119.15, Florida Statutes, and shall stand repealed on  
25 October 2, 2006, unless reviewed and saved from repeal through  
26 reenactment by the Legislature.

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28           Section 2. The Legislature finds that it is a public  
29 necessity that personal identifying information regarding a  
30 child served by a Learning Gateway Center, or a family member  
31 or legal guardian so served, be held confidential and exempt.  
Children who participate in the Learning Gateway Project may

1 have potential learning and other developmental problems that  
2 the project seeks to address. If a potential learning or  
3 other developmental problem is identified and properly  
4 addressed at an early age, it can be made less severe or can  
5 even be overcome entirely, sometimes in a short period of  
6 time. Learning or other developmental problems must be  
7 identified in a way that does not result in the labeling or  
8 stigmatizing of a child in the public eye, especially as  
9 intervention at an early age may resolve these problems. If a  
10 parent fears that his or her child's identity can be  
11 determined from records maintained by a Learning Gateway  
12 Center, which would then reveal assessment data, health data,  
13 or teacher observations regarding his or her child, that  
14 parent may not permit his or her child to participate in the  
15 project.

16           Section 3. This act shall take effect on the date  
17 Committee Substitute for House Bill 1015, relating to learning  
18 disabilities, or similar legislation, takes effect, and shall  
19 not take effect if such legislation does not become a law.  
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