

1 A bill to be entitled
2 An act relating to funds of the Department of
3 Education; amending s. 229.085, F.S.;
4 eliminating provisions exempting funds held in
5 trust for student organizations from
6 requirements governing the deposit and
7 disbursement of funds; eliminating provisions
8 limiting the employment period for certain
9 personnel administering grants or projects;
10 eliminating a provision allowing an employee to
11 retain his or her status as a career service
12 employee if the employee is appointed to a
13 position under the Projects, Contracts, and
14 Grants Trust Fund; authorizing a demonstration
15 program to be called Learning Gateway; creating
16 a steering committee; providing for membership
17 and appointment of steering committee members;
18 establishing duties of the steering committee;
19 authorizing demonstration projects in specified
20 counties; authorizing designated agencies to
21 provide confidential information to such
22 program; providing for funding; providing an
23 effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Section 229.085, Florida Statutes, as
28 amended by section 31 of chapter 2001-170, Laws of Florida, is
29 amended to read:

30 229.085 Custody of educational funds.--
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1 (1) All funds received by the Department of Education
2 shall be deposited in the State Treasury subject to
3 disbursement in such manner and for such purpose as the
4 Legislature may by law provide. ~~However, funds held in trust~~
5 ~~for student organizations which are established and operated~~
6 ~~in conjunction with public school or community college~~
7 ~~programs may, upon approval by the state board, be exempted~~
8 ~~from this section and deposited outside the State Treasury.~~

9 (2) There is created in the Department of Education
10 the Projects, Contracts, and Grants Trust Fund. ~~The personnel~~
11 ~~employed to plan and administer grants or contracts for~~
12 ~~specific projects shall be considered in time-limited~~
13 ~~employment not to exceed the duration of the grant or until~~
14 ~~completion of the project, whichever first occurs. Such~~
15 ~~employees shall not acquire retention rights under the Career~~
16 ~~Service System. Any employee holding permanent career service~~
17 ~~status in a Department of Education position who is appointed~~
18 ~~to a position under the Projects, Contracts, and Grants Trust~~
19 ~~Fund shall retain such permanent status in the career service~~
20 ~~position.~~

21 Section 2. Learning Gateway.--

22 (1) PROGRAM GOALS.--The Legislature authorizes a
23 3-year demonstration program, to be called the Learning
24 Gateway, the purpose of which is to provide parents access to
25 information, referral, and services to lessen the effects of
26 learning disabilities in children from birth to age 9.
27 Parental consent shall be required for initial contact and
28 referral for evaluation and services provided through the
29 Learning Gateway. Each pilot program must design and test an
30 integrated, community-based system to help parents identify
31 learning problems and access early-education and intervention

1 services in order to minimize or prevent learning
2 disabilities. The Learning Gateway must be available to
3 parents in the settings where they and their children live,
4 work, seek care, or study. The goals of the Learning Gateway
5 are to:

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

13 (b) Improve access for children who are experiencing
14 early learning problems and their families to appropriate
15 programs, services, and supports through improved outreach and
16 referral processes among providers.

17 (c) Improve developmental monitoring and the
18 availability to parents of appropriate screening resources,
19 with emphasis on children from birth through age 9 who are at
20 high risk of having learning problems.

21 (d) Improve the availability to parents of appropriate
22 education and intervention programs, services, and supports to
23 address learning problems and learning disabilities.

24 (e) Identify gaps in the array of services and
25 supports so that an appropriate child-centered and
26 family-centered continuum of education and support would be
27 readily available in each community.

28 (f) Improve accountability of the system through
29 improved planning, integration, and collaboration among
30 providers and through outcome measurement in collaboration
31 with parents.

1 (2) LEARNING GATEWAY STEERING COMMITTEE.--

2 (a) To ensure that parents of children with potential
3 learning problems and learning disabilities have access to the
4 appropriate necessary services and supports, an 18-member
5 steering committee is created. The steering committee is
6 assigned to the Department of Education for administrative
7 purposes.

8 (b) The duties of the Learning Gateway Steering
9 Committee are to provide policy development, consultation,
10 oversight, and support for the implementation of three
11 demonstration programs and to advise the agencies, the
12 Legislature, and the Governor on statewide implementation of
13 system components and issues and on strategies for continuing
14 improvement to the system.

15 (c) The steering committee shall direct the
16 administering agency of the Learning Gateway program to expend
17 the funds appropriated for the steering committee's use to
18 procure the products delineated in section 3 of this act
19 through contracts or other means. The steering committee and
20 the Learning Gateway pilot programs will provide information
21 and referral for services but will not provide direct services
22 to parents or children.

23 (d) The steering committee must include parents,
24 service providers, and representatives of the disciplines
25 relevant to diagnosis of and intervention in early learning
26 problems. The Governor shall appoint one member from the
27 private sector who has expertise in communications, management
28 or service provision, one member who has expertise in
29 children's vision, one member who has expertise in learning
30 disabilities, one member who has expertise in audiology, one
31 member who is a parent of a child eligible for services by the

1 Learning Gateway, and one provider of related diagnostic and
2 intervention services. The President of the Senate shall
3 appoint one member from the private sector who has expertise
4 in communications, management or service provision, one member
5 who has expertise in emergent literacy, one member who has
6 expertise in pediatrics, one member who has expertise in brain
7 development, one member who is a parent of a child eligible
8 for services by the Learning Gateway, and one member who is a
9 provider of related diagnostic and intervention services. The
10 Speaker of the House of Representatives shall appoint one
11 member from the private sector who has expertise in
12 communications, management or service provision, one member
13 who has expertise in environmental health and allergies, one
14 member who has expertise in children's nutrition, one member
15 who has expertise in family medicine, one parent of a child
16 eligible for services by the Learning Gateway, and one member
17 who is a school psychologist providing diagnostic and
18 intervention services.

19 (e) To support and facilitate system improvements, the
20 steering committee must consult with representatives from the
21 Department of Education, the Department of Health, the Florida
22 Partnership for School Readiness, the Department of Children
23 and Family Services, the Agency for Health Care
24 Administration, the Department of Juvenile Justice, and the
25 Department of Corrections and the director of the Learning
26 Development and Evaluation Center of Florida Agricultural and
27 Mechanical University.

28 (f) Steering committee appointments must be made, and
29 the committee must hold its first meeting, within 90 days
30 after this act takes effect. Steering committee members shall
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1 be appointed to serve a term of 3 years. The Governor shall
2 designate the chairman of the steering committee.

3 (g) Steering committee members shall not receive
4 compensation for their services, but may receive reimbursement
5 for travel expenses incurred under section 112.061, Florida
6 Statutes.

7 (3) LEARNING GATEWAY DEMONSTRATION PROJECTS.--

8 (a) Within 90 days after its initial meeting, the
9 Learning Gateway Steering Committee shall accept proposals
10 from interagency consortia in Orange, Manatee, and St. Lucie
11 counties which comprise public and private providers,
12 community agencies, business representatives, and the local
13 school board in each county to serve as demonstration sites
14 for design and development of a system that addresses the
15 requirements in section 3 of this act. If there is no proposal
16 from one of the designated counties, the steering committee
17 may select another county to serve as a demonstration site by
18 majority vote.

19 (b) The proposals for demonstration projects must
20 provide a comprehensive and detailed description of the system
21 of care. The description of the proposed system of care must
22 clearly indicate the point of access for parents, integration
23 of services, linkages of providers, and additional array of
24 services required to address the needs of children and
25 families.

26 (c) The demonstration projects should ensure that the
27 system of care appropriately includes existing services to the
28 fullest extent possible and should determine additional
29 programs, services, and supports that would be necessary to
30 implement the requirements of this act.

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

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

15 (f) Demonstration projects shall use public and
16 private partnerships, partnerships with faith-based
17 organizations, and volunteers, as appropriate, to enhance
18 accomplishment of the goals of the system.

19 (g) Addressing system components delineated in section
20 3 of this act, each demonstration project proposal must
21 include, at a minimum:

22 1. Protocols for requiring and receiving parental
23 consent for Learning Gateway services.

24 2. A method for establishing communication with
25 parents and coordination and planning processes within the
26 community.

27 3. Action steps for making appropriate linkages to
28 existing services within the community.

29 4. Procedures to determine gaps in services and
30 identify appropriate providers.

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1 5. A lead agency to serve as the system access point,
2 or gateway.

3 (h) As authorized under the budget authority of the
4 Department of Education, demonstration projects,
5 representative of the diversity of the communities in this
6 state, shall be established in Manatee, Orange, and St. Lucie
7 counties as local Learning Gateway sites and shall be
8 authorized to hire staff, establish office space, and contract
9 for administrative services as needed to implement the project
10 within the budget designated by the Legislature.

11 (i) The steering committee must approve, deny, or
12 conditionally approve a Learning Gateway proposal within 60
13 days after receipt of the proposal. If a proposal is
14 conditionally approved, the steering committee must assist the
15 Learning Gateway applicant to correct deficiencies in the
16 proposal by December 1, 2002. Funds must be available to a
17 pilot program 15 days after final approval of its proposal by
18 the steering committee. Funds must be available to all pilot
19 programs by January 1, 2003.

20 Section 3. Components of the Learning Gateway.--

21 (1) The Learning Gateway system consists of the
22 following components:

23 (a) Community education strategies and family-oriented
24 access.--

25 1. Each local demonstration project shall establish
26 the system access point, or gateway, by which parents can
27 receive information about available appropriate services. An
28 existing public or private agency or provider or new provider
29 may serve as the system gateway. The local Learning Gateway
30 should provide parents and caretakers with a single point of
31 access for screening, assessment, and referral for services

1 for children from birth through age 9. The demonstration
2 projects have the budgetary authority to hire appropriate
3 personnel to perform administrative functions. These staff
4 members must be knowledgeable about child development, early
5 identification of learning problems and learning disabilities,
6 family service planning, and services in the local area. Each
7 demonstration project must arrange for the following services
8 to be provided by existing service systems:

- 9 a. Conducting intake with families.
- 10 b. Conducting appropriate screening or referral for
11 such services.
- 12 c. Conducting needs/strengths-based family assessment.
- 13 d. Developing family resource plans.
- 14 e. Making referrals for needed services and assisting
15 families in the application process.
- 16 f. Providing service coordination as needed by
17 families.
- 18 g. Assisting families in establishing a medical home.
- 19 h. Conducting case management and transition planning
20 as necessary.
- 21 i. Monitoring performance of service providers against
22 appropriate standards.

23 2. The Learning Gateway Steering Committee and
24 demonstration projects shall designate a central information
25 and referral access phone number for parents in each pilot
26 community. This centralized phone number should be used to
27 increase public awareness and to improve access to local
28 supports and services for children from birth through age 9
29 and their families. The number should be highly publicized as
30 the primary source of information on services for young
31 children. The telephone staff should be trained and supported

1 to offer accurate and complete information and to make
2 appropriate referrals to existing public and private community
3 agencies.

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

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

27 a. Public awareness strategies targeting parents of
28 children from birth through age 5 shall be designed to provide
29 information to public and private preschool programs,
30 childcare providers, pediatricians, parents, and local
31 businesses and organizations. These strategies should include

1 information on the school readiness performance standards for
2 kindergarten adopted by the School Readiness Partnership
3 Board.

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

12 (b) Screening and developmental monitoring.--

13 1. In coordination with the Partnership for School
14 Readiness, the Department of Education, and the Florida
15 Pediatric Society, and using information learned from the
16 local demonstration projects, the Learning Gateway Steering
17 Committee shall establish guidelines for screening children
18 from birth through age 9. The guidelines should incorporate
19 recent research on the indicators most likely to predict early
20 learning problems, mild developmental delays, child-specific
21 precursors of school failure, and other related developmental
22 indicators in the domains of cognition; communication;
23 attention; perception; behavior; and social, emotional,
24 sensory, and motor functioning.

25 2. Based on the guidelines established by the steering
26 committee and in cooperation with the Florida Pediatric
27 Society, the steering committee shall adopt a comprehensive
28 checklist for child healthcare checkups and a corresponding
29 training package for physicians and other medical personnel in
30 implementing more effective screening for precursors of
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1 learning problems, learning disabilities, and mild
2 developmental delays.

3 3. Using the screening guidelines developed by the
4 steering committee, local demonstration projects should engage
5 local physicians and other medical professionals in enhancing
6 the screening opportunities presented by immunization visits
7 and other well-child appointments, in accordance with the
8 American Academy of Pediatrics Periodicity Schedule.

9 4. Using the screening guidelines developed by the
10 steering committee, the demonstration projects shall develop
11 strategies to increase early identification of precursors to
12 learning problems and learning disabilities through providing
13 parents the option of improved screening and referral
14 practices within public and private early care and education
15 programs and K-3 public and private school settings.
16 Strategies may include training and technical assistance teams
17 to assist program providers and teachers. The program shall
18 collaborate appropriately with the school readiness
19 coalitions, local school boards, and other community resources
20 in arranging training and technical assistance for early
21 identification and screening with parental consent.

22 5. The demonstration project shall work with
23 appropriate local entities to reduce the duplication of
24 cross-agency screening in each demonstration project area.
25 Demonstration projects shall provide opportunities for public
26 and private providers of screening and assessment at each age
27 level to meet periodically to identify gaps or duplication of
28 efforts in screening practices.

29 6. Based on technical assistance and support provided
30 by the steering committee and in conjunction with the school
31 readiness coalitions and other appropriate entities,

1 demonstration projects shall develop a system to log the
2 number of children screened, assessed, and referred for
3 services. After development and testing, tracking should be
4 supported by a standard electronic data system for screening
5 and assessment information.

6 7. In conjunction with the technical assistance of the
7 steering committee, demonstration projects shall develop a
8 system for targeted screening. The projects should conduct a
9 needs assessment of existing services and programs where
10 targeted screening programs should be offered. Based on the
11 results of the needs assessment, the project shall develop
12 procedures within the demonstration community whereby periodic
13 developmental screening could be offered to parents of
14 children from birth through age 9 who are served by state
15 intervention programs or whose parents or caregivers are in
16 state intervention programs. Intervention programs for
17 children, parents, and caregivers include those administered
18 or funded by the:

- 19 a. Agency for Health Care Administration;
20 b. Department of Children and Family Services;
21 c. Department of Corrections and other criminal
22 justice programs;
23 d. Department of Education;
24 e. Department of Health; and
25 f. Department of Juvenile Justice.

26 8. When results of screening suggest developmental
27 problems, potential learning problems, or learning
28 disabilities, the intervention program shall inform the
29 child's parent of the results of the screening and shall offer
30 to refer the child to the Learning Gateway for coordination of
31 further assessment. If the parent chooses to have further

1 assessment, the Learning Gateway shall make referrals to the
2 appropriate entities within the service system.

3 9. The local Learning Gateway shall provide for
4 followup contact to all families whose children have been
5 found ineligible for services under Part B or Part C of the
6 IDEA to inform them of other services available in the county.

7 10. Notwithstanding any law to the contrary, each
8 agency participating in the Learning Gateway is authorized to
9 provide to a Learning Gateway program confidential information
10 exempt from disclosure under chapter 119, Florida Statutes,
11 regarding a developmental screening on any child participating
12 in the Learning Gateway who is or has been the subject of a
13 developmental screening within the jurisdiction of each
14 agency.

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

16 1. The demonstration projects shall develop a
17 conceptual model system of care that builds upon, integrates,
18 and fills the gaps in existing services. The model shall
19 indicate how qualified providers of family-based or
20 center-based interventions or public and private school
21 personnel may offer services in a manner consistent with the
22 standards established by their profession and by the standards
23 and criteria adopted by the steering committee and consistent
24 with effective and proven strategies. The specific services
25 and supports may include:

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

27 b. Assistance to parents and other caregivers, such as
28 home-based modeling programs for parents and play programs to
29 provide peer interactions.

30 c. Speech and language therapy that is
31 age-appropriate.

- 1 d. Parent education and training.
2 e. Comprehensive medical screening and referral with
3 biomedical interventions as necessary.
4 f. Referral as needed for family therapy, other mental
5 health services, and treatment programs.
6 g. Family support services as necessary.
7 h. Therapy for learning differences in reading and
8 math, and attention to subject material for children in grades
9 K-3.
10 i. Referral for Part B or Part C services as required.
11 j. Expanded access to community-based services for
12 parents.
13 k. Parental choice in the provision of services by
14 public and private providers.

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16 The model shall include a statement of the cost of
17 implementing the model.

18 2. Demonstration projects shall develop strategies to
19 increase the use of appropriate intervention practices with
20 children who have learning problems and learning disabilities
21 within public and private early care and education programs
22 and K-3 public and private school settings. Strategies may
23 include training and technical assistance teams. Intervention
24 must be coordinated and must focus on providing effective
25 supports to children and their families within their regular
26 education and community environment. These strategies must
27 incorporate, as appropriate, school and district activities
28 related to the student's academic improvement plan and must
29 provide parents with greater access to community-based
30 services that should be available beyond the traditional
31 school day. Academic expectations for public school students

1 in grades K-3 must be based upon the local school board's
2 adopted proficiency levels. When appropriate, school personnel
3 shall consult with the local Learning Gateway to identify
4 other community resources for supporting the child and the
5 family.

6 3. The steering committee, in cooperation with the
7 Department of Children and Family Services, the Department of
8 Education, and the Florida Partnership for School Readiness,
9 shall identify the elements of an effective research-based
10 curriculum for early care and education programs.

11 4. The steering committee, in conjunction with the
12 demonstration projects, shall develop processes for
13 identifying and sharing promising practices and shall showcase
14 these programs and practices at a dissemination conference.

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

30 6. Demonstration projects shall investigate and may
31 recommend to the steering committee more effective resource

1 allocation and flexible funding strategies if such strategies
2 are in the best interest of the children and families in the
3 community. The Department of Education and other relevant
4 agencies shall assist the demonstration projects in securing
5 state and federal waivers as appropriate.

6 Section 4. Accountability.--

7 (1) The steering committee shall provide information
8 to the School Readiness Estimating Conference and the
9 Enrollment Conference for Public Schools regarding estimates
10 of the population of children from birth through age 9 who are
11 at risk of learning problems and learning disabilities.

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

27 (3) The steering committee shall oversee a formative
28 evaluation of the project during implementation, including
29 reporting short-term outcomes and system improvements. By
30 January 2005, the steering committee shall make
31 recommendations to the Governor, the President of the Senate,

1 the Speaker of the House of Representatives, and the
2 Commissioner of Education related to the merits of expansion
3 of the demonstration projects.

4 (4) By January 1, 2005, the steering committee, in
5 conjunction with the demonstration projects, shall develop a
6 model county-level strategic plan to formalize the goals,
7 objectives, strategies, and intended outcomes of the
8 comprehensive system, and to support the integration and
9 efficient delivery of all services and supports for parents of
10 children from birth through age 9 who have learning problems
11 or learning disabilities. The model county-level strategic
12 plan must include, but need not be limited to, strategies to:

13 (a) Establish a system whereby parents can access
14 information about learning problems in young children and
15 receive services at their discretion;

16 (b) Improve early identification of those who are at
17 risk for learning problems and learning disabilities;

18 (c) Provide access to an appropriate array of services
19 within the child's natural environment or regular classroom
20 setting or specialized training in other settings;

21 (d) Improve and coordinate screening for children from
22 birth through age 9;

23 (e) Improve and coordinate services for children from
24 birth through age 9;

25 (f) Address training of professionals in effectively
26 identifying factors, across all domains, which place children
27 from birth through age 9 at risk of school failure and in
28 appropriate interventions for the learning differences;

29 (g) Provide appropriate support to families;

30 (h) Share best practices with caregivers and referral
31 sources;

1 (i) Address resource needs of the assessment and
2 intervention system; and

3 (j) Address development of implementation plans to
4 establish protocols for requiring and receiving parental
5 consent for services; to identify action steps, responsible
6 parties, and implementation schedules; and to ensure
7 appropriate alignment with agency strategic plans.

8 Section 5. The Legislature shall appropriate a sum of
9 money to fund the demonstration programs and shall authorize
10 selected communities to blend funding from existing programs
11 to the extent that this is advantageous to the community and
12 is consistent with federal requirements.

13 Section 6. This act shall take effect January 7, 2003.
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