

1 A bill to be entitled
2 An act relating to education; reenacting and
3 amending s. 230.64, F.S.; eliminating obsolete
4 references to "area" with respect to technical
5 centers operated by school districts;
6 reenacting and amending s. 241.002, Florida
7 Statutes, changing the term "distance learning"
8 to "distance education"; eliminating obsolete
9 references to the State Board of Community
10 Colleges and the Board of Regents; requiring
11 certain allocations to the Division of
12 Community Colleges and the Division of Colleges
13 and Universities; reenacting and amending ss.
14 241.003, 241.004, F.S.; conforming terms to
15 changes made by the act; reenacting s. 244.01,
16 F.S.; revising provisions governing state
17 policy for regional education; reenacting s.
18 244.02, F.S.; revising provisions governing the
19 southern regional compact; authorizing a
20 demonstration program to be called Learning
21 Gateway; creating a steering committee;
22 providing for membership and appointment of
23 steering committee members; establishing duties
24 of the steering committee; authorizing
25 demonstration projects in specified counties;
26 authorizing designated agencies to provide
27 confidential information to such program;
28 providing for funding; repealing s. 244.03,
29 F.S., relating to distribution among certain
30 states of copies of a 1948 law; providing an
31 effective date.

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

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3 Section 1. Notwithstanding subsection (7) of section 3
4 of chapter 2000-321, Laws of Florida, section 230.64, Florida
5 Statutes, shall not stand repealed January 7, 2003, but that
6 section is reenacted and amended to read:

7 230.64 ~~Area~~ Technical center part of district school
8 system; minimum standards.--

9 (1) ~~AREA~~ TECHNICAL CENTER PART OF DISTRICT SCHOOL
10 SYSTEM DIRECTED BY A DIRECTOR.--A ~~An area~~ technical center
11 established or acquired under provisions of law, is ~~shall~~
12 ~~comprise~~ a part of the district school system of the state
13 which offers ~~and shall mean an educational institution~~
14 ~~offering~~ terminal courses of a technical and vocational
15 nature, and courses for out-of-school youth and adults, shall
16 be subject to the general school laws of the state insofar as
17 such laws are applicable, shall be under the control of the
18 school board of the district in which it is located and shall
19 be directed by a director, who shall be responsible through
20 the superintendent to the school board of the district in
21 which the center is located.

22 (2) COMMISSIONER SHALL PRESCRIBE MINIMUM
23 STANDARDS.--The commissioner shall prescribe minimum standards
24 that must be met before an area technical center is organized,
25 acquired or operated, and that will assure that the purposes
26 of the center are attained.

27 Section 2. Notwithstanding subsection (7) of section 3
28 of chapter 2000-321, Laws of Florida, section 241.002, Florida
29 Statutes, shall not stand repealed January 7, 2003, but that
30 section is reenacted and amended to read:

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1 241.002 Duties of the Department of Education.--The
2 duties of the Department of Education concerning distance
3 education learning include, but are not limited to, the duty
4 to:

5 (1) Facilitate the implementation of a statewide
6 coordinated system and resource system for cost-efficient
7 advanced telecommunications services and distance education
8 which will increase overall student access to education.

9 (2) Coordinate the use of existing resources,
10 including, but not limited to, the state's satellite
11 transponders on the education satellites, the SUNCOM Network,
12 the Florida Information Resource Network (FIRN), the
13 Department of Management Services, the Department of
14 Corrections, and the Department of Children and Family
15 Services' satellite communication facilities to support a
16 statewide advanced telecommunications services and distance
17 education learning network.

18 (3) Assist in the coordination of the utilization of
19 the production and uplink capabilities available through
20 Florida's public television stations, eligible facilities,
21 independent colleges and universities, private firms, and
22 others as needed.

23 (4) Seek the assistance and cooperation of Florida's
24 cable television providers in the implementation of the
25 statewide advanced telecommunications services and distance
26 education learning network.

27 (5) Seek the assistance and cooperation of Florida's
28 telecommunications carriers to provide affordable student
29 access to advanced telecommunications services and to distance
30 education learning.

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1 (6) Coordinate partnerships for development,
2 acquisition, use, and distribution of distance education
3 ~~learning~~.

4 (7) Secure and administer funding for programs and
5 activities for distance education ~~learning~~ from federal,
6 state, local, and private sources and from fees derived from
7 services and materials.

8 (8) Manage the state's satellite transponder resources
9 and enter into lease agreements to maximize the use of
10 available transponder time. All net revenue realized through
11 the leasing of available transponder time, after deducting the
12 costs of performing the management function, shall be recycled
13 to support the public education distance education ~~learning~~ in
14 this state based upon an allocation formula of one-third to
15 the Department of Education, one-third to the Division of
16 Community Colleges ~~State Board of Community Colleges~~, and
17 one-third to the Division of Colleges and Universities ~~State~~
18 ~~University System~~.

19 (9) Hire appropriate staff which may include a
20 position that shall be exempt from part II of chapter 110 and
21 is included in the Senior Management Service in accordance
22 with s. 110.205.

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24 Nothing in ss. 241.001-241.004 shall be construed to abrogate,
25 supersede, alter, or amend the powers and duties of any state
26 agency, district school board, community college board of
27 trustees, college board of trustees, university board of
28 trustees ~~the State Board of Community Colleges~~, or the State
29 Board of Education ~~Board of Regents~~.

30 Section 3. Notwithstanding subsection (7) of section 3
31 of chapter 2000-321, Laws of Florida, section 241.003, Florida

1 Statutes, shall not stand repealed January 7, 2003, but that
2 section is reenacted.

3 241.003 The Florida Distance Education Learning
4 Network Advisory Council; creation; membership; organization;
5 meetings.--

6 (1) The Florida Distance Education Learning Network
7 Advisory Council is created in the Department of Education to
8 advise and assist the department in carrying out its duties
9 relating to distance education learning.

10 (a) Composition.--The advisory council, to be
11 appointed by and serve at the pleasure of the Commissioner of
12 Education, shall not exceed 13 members, selected from the
13 various entities who have interests in distance education
14 ~~learning~~, and who are, when possible, leading members of
15 statewide or regional organizations representing institutional
16 consumers and providers so as to establish a broadly based and
17 representative distance education learning advisory council.

18 (b) Representation.--The organizations represented on
19 the advisory council may include, but are not limited to,
20 public and private elementary and secondary schools; public
21 and private postsecondary institutions, including vocational
22 and technical centers; state agencies; libraries; the health
23 care community, including urban, rural, and teaching
24 hospitals; the cable telecommunications industry; the local
25 exchange telecommunications industry; and the interexchange
26 industry. Two members shall be the director or director's
27 designee of the Division of Colleges and Universities and of
28 the Division of Community Colleges ~~Chancellor of the State~~
29 ~~University System or the chancellor's designee and the~~
30 ~~Executive Director of the Florida Community College System or~~
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1 ~~the executive director's designee.~~ One member may be a lay
2 citizen.

3 (c) Organization, procedure, and compensation.--

4 1. The advisory council shall meet at least annually.

5 2. The advisory council shall elect a chair, a vice
6 chair, and a secretary from its membership for 1-year terms.
7 Officers may be reelected.

8 3. The advisory council shall meet at the call of its
9 chair, at the request of the majority of its membership, the
10 commissioner, or at such times as its membership prescribes.

11 (2) The advisory council may study and recommend to
12 the department concerning:

13 (a) A marketing program statewide, nationally, and
14 internationally, as deemed appropriate.

15 (b) The recipients of the Educational Technology Grant
16 Program provided in s. 241.004.

17 (c) Suggested legislation concerning distance
18 education ~~learning~~.

19 (d) Any other issue regarding distance education
20 ~~learning~~ that the council deems appropriate.

21 (3) The department shall provide administrative and
22 support services to the advisory council.

23 Section 4. Notwithstanding subsection (7) of section 3
24 of chapter 2000-321, Laws of Florida, section 241.004, Florida
25 Statutes, shall not stand repealed January 7, 2003, but that
26 section is reenacted to read:

27 241.004 Educational Technology Grant Program.--

28 (1) The Department of Education shall annually award
29 grants to school districts, area technical centers, community
30 colleges, state universities, and independent institutions
31 eligible to participate in state student assistance programs

1 established in part IV of chapter 240. The department shall
2 give priority to cooperative proposals submitted by two or
3 more institutions or delivery systems. The proposals shall
4 include:

5 (a) Information which describes the educational
6 significance of the program or service in addressing state
7 educational priorities.

8 (b) The target population for the program.

9 (c) The program content to be transmitted.

10 (d) The support services to be provided.

11 (e) Provisions to use at least 20 percent of any funds
12 awarded for training both faculty and student learners in the
13 use and application of the products developed.

14 (2) Programs and courses developed through the grant
15 program shall be marketed statewide and nationwide with a
16 portion of any profits from the sale or use of such programs
17 retained by the developing institutions or systems and a
18 portion reinvested in the grant program for further program
19 development. The distribution of any revenues received shall
20 be determined by formal agreement between the department and
21 the developing system or institution.

22 (3) The department shall identify state educational
23 priorities and issue a request for proposals by June 1 in
24 every year in which funds are available for grants. The
25 department shall ensure the quality of the programs and
26 courses produced through the grants and produce an annual
27 status report by March 1 describing the projects funded and
28 accounting for any proceeds.

29 Section 5. Notwithstanding subsection (7) of section 3
30 of chapter 2000-321, Laws of Florida, section 244.01, Florida

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1 Statutes, shall not stand repealed January 7, 2003, but that
2 section is reenacted to read:

3 244.01 Regional education; state policy.--It is hereby
4 declared to be the policy of the state to promote the
5 development and maintenance of regional education services and
6 facilities in the Southern States in the professional,
7 technological, scientific, literary and other fields so as to
8 provide greater educational advantages for the citizens of the
9 state and the citizens in the several states in said region;
10 and it is found and determined by the Legislature of the state
11 that greater educational advantages and facilities for the
12 citizens of the state in certain phases of the professional,
13 technological, scientific, literary and other fields in
14 education can best be accomplished by the development and
15 maintenance of regional educational services and facilities,
16 under the plan embodied in "The Regional Pact" hereinafter
17 adopted; and this law shall be liberally construed to
18 accomplish such purposes.

19 Section 6. Notwithstanding subsection (7) of section 3
20 of chapter 2000-321, Laws of Florida, section 244.02, Florida
21 Statutes, shall not stand repealed January 7, 2003, but that
22 section is reenacted to read:

23 244.02 Regional compact.--The compact entered into by
24 the state and other Southern States by and through their
25 respective governors on February 8, 1948, as amended, relative
26 to the development and maintenance of regional education
27 services and schools in the Southern States in the
28 professional, technological, scientific, literary and other
29 fields so as to promote greater educational facilities for the
30 citizens of the several states who reside in said region, a
31 copy of said compact, as amended, being as follows:

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THE REGIONAL COMPACT
(as amended)

WHEREAS, The States who are parties hereto have during the past several years conducted careful investigation looking toward the establishment and maintenance of jointly owned and operated regional educational institutions in the Southern States in the professional, technological, scientific, literary, and other fields, so as to provide greater educational advantages and facilities for the citizens of the several states who reside within such region; and

WHEREAS, Meharry Medical College of Nashville, Tennessee, has proposed that its lands, buildings, equipment, and the net income from its endowment be turned over to the Southern States, or to an agency acting in their behalf, to be operated as a regional institution for medical, dental and nursing education upon terms and conditions to be hereafter agreed upon between the Southern States and Meharry Medical College, which proposal, because of the present financial condition of the institution, has been approved by the said states who are parties hereto; and

WHEREAS, the said states desire to enter into a compact with each other providing for the planning and establishment of regional educational facilities;

NOW, THEREFORE, in consideration of the mutual agreements, covenants and obligations assumed by the respective states who are parties hereto (hereinafter referred to as "states"), the said several states do hereby form a geographical district or region consisting of the areas lying within the boundaries of the contracting states which, for the

1 purposes of this compact, shall constitute an area for
2 regional education supported by public funds derived from
3 taxation by the constituent states and derived from other
4 sources for the establishment, acquisition, operation and
5 maintenance of regional educational schools and institutions
6 for the benefit of citizens of the respective states residing
7 within the region so established as may be determined from
8 time to time in accordance with the terms and provisions of
9 this compact.

10 The states do further hereby establish and create a
11 joint agency which shall be known as the Board of Control for
12 Southern Regional Education (hereinafter referred to as the
13 "board"), the members of which board shall consist of the
14 governor of each state, ex officio, and four additional
15 citizens of each state to be appointed by the governor
16 thereof, at least one of whom shall be selected from the field
17 of education, and at least one of whom shall be a member of
18 the legislature of that state. The governor shall continue as
19 a member of the board during his or her tenure of office as
20 governor of the state, but the members of the board appointed
21 by the governor shall hold office for a period of four years
22 except that in the original appointments one board member so
23 appointed by the governor shall be designated at the time of
24 his or her appointment to serve an initial term of two years,
25 one board member to serve an initial term of three years, and
26 the remaining board member to serve the full term of four
27 years, but thereafter the successor of each appointed board
28 member shall serve the full term of four years. Vacancies on
29 the board caused by death, resignation, refusal or inability
30 to serve, shall be filled by appointment by the governor for
31 the unexpired portion of the term. The officers of the board

1 shall be a chair, a vice chair, a secretary, a treasurer, and
2 such additional officers as may be created by the board from
3 time to time. The board shall meet annually and officers
4 shall be elected to hold office until the next annual meeting.
5 The board shall have the right to formulate and establish
6 bylaws not inconsistent with the provisions of this compact to
7 govern its own actions in the performance of the duties
8 delegated to it including the right to create and appoint an
9 executive committee and a finance committee with such powers
10 and authority as the board may delegate to them from time to
11 time. The board may, within its discretion, elect as its
12 chair a person who is not a member of the board, provided such
13 person resides within a signatory state, and upon such
14 election such person shall become a member of the board with
15 all the rights and privileges of such membership. This
16 paragraph as amended in 1957 shall be effective when eight or
17 more of the states party to the compact have given legislative
18 approval to the amendment.

19 It shall be the duty of the board to submit plans and
20 recommendations to the states from time to time for their
21 approval and adoption by appropriate legislative action for
22 the development, establishment, acquisition, operation and
23 maintenance of educational schools and institutions within the
24 geographical limits of the regional area of the states, of
25 such character and type and for such educational purposes,
26 professional, technological, scientific, literary, or
27 otherwise, as they may deem and determine to be proper,
28 necessary or advisable. Title to all such educational
29 institutions when so established by appropriate legislative
30 actions of the states and to all properties and facilities
31 used in connection therewith shall be vested in said board as

1 the agency of and for the use and benefit of the said states
2 and the citizens thereof, and all such educational
3 institutions shall be operated, maintained and financed in the
4 manner herein set out, subject to any provisions or
5 limitations which may be contained in the legislative acts of
6 the states authorizing the creation, establishment and
7 operation of such educational institutions.

8 In addition to the power and authority heretofore
9 granted, the board shall have the power to enter into such
10 agreements or arrangements with any of the states and with
11 educational institutions or agencies, as may be required in
12 the judgment of the board, to provide adequate services and
13 facilities for the graduate, professional, and technical
14 education for the benefit of the citizens of the respective
15 states residing within the region, and such additional and
16 general power and authority as may be vested in the board from
17 time to time by legislative enactment of the said states.

18 Any two or more states who are parties of this compact
19 shall have the right to enter into supplemental agreements
20 providing for the establishment, financing and operation of
21 regional educational institutions for the benefit of citizens
22 residing within an area which constitutes a portion of the
23 general region herein created, such institutions to be
24 financed exclusively by such states and to be controlled
25 exclusively by the members of the board representing such
26 states provided such agreement is submitted to and approved by
27 the board prior to the establishment of such institutions.

28 Each state agrees that, when authorized by the
29 legislature, it will from time to time make available and pay
30 over to said board such funds as may be required for the
31 establishment, acquisition, operation and maintenance of such

1 regional educational institutions as may be authorized by the
2 states under the terms of this compact, the contribution of
3 each state at all times to be in the proportion that its
4 population bears to the total combined population of the
5 states who are parties hereto as shown from time to time by
6 the most recent official published report of the bureau of the
7 census of the United States of America; or upon such other
8 basis as may be agreed upon.

9 This compact shall not take effect or be binding upon
10 any state unless and until it shall be approved by proper
11 legislative action of as many as six or more of the states
12 whose governors have subscribed hereto within a period of
13 eighteen months from the date hereof. When and if six or more
14 states shall have given legislative approval to this compact
15 within said eighteen months period, it shall be and become
16 binding upon such six or more states sixty days after the date
17 of legislative approval by the sixth state and the governors
18 of such six or more states shall forthwith name the members of
19 the board from their states as hereinabove set out, and the
20 board shall then meet on call of the governor of any state
21 approving this compact, at which time the board shall elect
22 officers, adopt bylaws, appoint committees and otherwise fully
23 organize. Other states whose names are subscribed hereto
24 shall thereafter become parties hereto upon approval of this
25 compact by legislative action within two years from the date
26 hereof, upon such conditions as may be agreed upon at the
27 time. Provided, however, that with respect to any state whose
28 constitution may require amendment in order to permit
29 legislative approval of the compact, such state or states
30 shall become parties hereto upon approval of this compact by
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1 legislative action within seven years from the date hereof,
2 upon such conditions as may be agreed upon at the time.

3 After becoming effective this compact shall thereafter
4 continue without limitation of time; provided, however, that
5 it may be terminated at any time by unanimous action of the
6 states and provided further that any state may withdraw from
7 this compact if such withdrawal is approved by its
8 legislature, such withdrawal to become effective two years
9 after written notice thereof to the board accompanied by a
10 certified copy of the requisite legislative action, but such
11 withdrawal shall not relieve the withdrawing state from its
12 obligations hereunder accruing up to the effective date of
13 such withdrawal. Any state so withdrawing shall ipso facto
14 cease to have any claim to or ownership of any of the property
15 held or vested in the board or to any of the funds of the
16 board held under the terms of this compact.

17 If any state shall at any time become in default in the
18 performance of any of its obligations assumed herein or with
19 respect to any obligation imposed upon said state as
20 authorized by and in compliance with the terms and provisions
21 of this compact, all rights, privileges and benefits of such
22 defaulting state, its members on the board and its citizens
23 shall ipso facto be and become suspended from and after the
24 date of such default. Unless such default shall be remedied
25 and made good within a period of one year immediately
26 following the date of such default this compact may be
27 terminated with respect to such defaulting state by an
28 affirmative vote of three-fourths of the members of the board
29 (exclusive of the members representing the state in default),
30 from and after which time such state shall cease to be a party
31 to this compact and shall have no further claim to or

1 ownership of any of the property held by or vested in the
2 board or to any of the funds of the board held under the terms
3 of this compact, but such termination shall in no manner
4 release such defaulting state from any accrued obligation or
5 otherwise affect this compact or the rights, duties,
6 privileges or obligations of the remaining states thereunder.

7 IN WITNESS WHEREOF this compact has been approved and
8 signed by governors of the several states, subject to the
9 approval of their respective legislatures in the manner
10 hereinabove set out, as of the 8th day of February, 1948.

11 STATE OF FLORIDA BY Millard F. Caldwell, Governor.
12 STATE OF MARYLAND BY Wm. Preston Lane, Jr., Governor. STATE
13 OF GEORGIA BY M. E. Thompson, Governor. STATE OF LOUISIANA
14 BY J. H. Davis, Governor. STATE OF ALABAMA BY James E.
15 Folsom, Governor. STATE OF MISSISSIPPI BY F. L. Wright,
16 Governor. STATE OF TENNESSEE BY Jim McCord, Governor. STATE
17 OF ARKANSAS BY Ben Laney, Governor. COMMONWEALTH OF VIRGINIA
18 BY Wm. M. Tuck, Governor. STATE OF NORTH CAROLINA BY R. Gregg
19 Cherry, Governor. STATE OF SOUTH CAROLINA BY J. Strom
20 Thurmond, Governor. STATE OF TEXAS BY Beauford H. Jester,
21 Governor. STATE OF OKLAHOMA BY Roy J. Turner, Governor. STATE
22 OF WEST VIRGINIA BY Clarence W. Meadows, Governor.

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24 be and the same is hereby approved and the State of Florida is
25 hereby declared to be a party to said compact and the
26 agreements, covenants and obligations contained therein are
27 hereby declared to be binding upon the State of Florida.

28 Section 7. Learning Gateway.--

29 (1) PROGRAM GOALS.--The Legislature authorizes a
30 3-year demonstration program, to be called the Learning
31 Gateway, the purpose of which is to provide parents access to

1 information, referral, and services to lessen the effects of
2 learning disabilities in children from birth to age 9.
3 Parental consent shall be required for initial contact and
4 referral for evaluation and services provided through the
5 Learning Gateway. Each pilot program must design and test an
6 integrated, community-based system to help parents identify
7 learning problems and access early-education and intervention
8 services in order to minimize or prevent learning
9 disabilities. The Learning Gateway must be available to
10 parents in the settings where they and their children live,
11 work, seek care, or study. The goals of the Learning Gateway
12 are to:

13 (a) Improve community awareness and education of
14 parents and practitioners about the warning signs or
15 precursors of learning problems and learning disabilities,
16 including disorders or delayed development in language,
17 attention, behavior, and social-emotional functioning,
18 including dyslexia and attention deficit hyperactivity
19 disorder, in children from birth through age 9.

20 (b) Improve access for children who are experiencing
21 early learning problems and their families to appropriate
22 programs, services, and supports through improved outreach and
23 referral processes among providers.

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

28 (d) Improve the availability to parents of appropriate
29 education and intervention programs, services, and supports to
30 address learning problems and learning disabilities.

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1 (e) Identify gaps in the array of services and
2 supports so that an appropriate child-centered and
3 family-centered continuum of education and support would be
4 readily available in each community.

5 (f) Improve accountability of the system through
6 improved planning, integration, and collaboration among
7 providers and through outcome measurement in collaboration
8 with parents.

9 (2) LEARNING GATEWAY STEERING COMMITTEE.--

10 (a) To ensure that parents of children with potential
11 learning problems and learning disabilities have access to the
12 appropriate necessary services and supports, an 18-member
13 steering committee is created. The steering committee is
14 assigned to the Department of Education for administrative
15 purposes.

16 (b) The duties of the Learning Gateway Steering
17 Committee are to provide policy development, consultation,
18 oversight, and support for the implementation of three
19 demonstration programs and to advise the agencies, the
20 Legislature, and the Governor on statewide implementation of
21 system components and issues and on strategies for continuing
22 improvement to the system.

23 (c) The steering committee shall direct the
24 administering agency of the Learning Gateway program to expend
25 the funds appropriated for the steering committee's use to
26 procure the products delineated in section 8 of this act
27 through contracts or other means. The steering committee and
28 the Learning Gateway pilot programs will provide information
29 and referral for services but will not provide direct services
30 to parents or children.

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1 (d) The steering committee must include parents,
2 service providers, and representatives of the disciplines
3 relevant to diagnosis of and intervention in early learning
4 problems. The Governor shall appoint one member from the
5 private sector who has expertise in communications, management
6 or service provision, one member who has expertise in
7 children's vision, one member who has expertise in learning
8 disabilities, one member who has expertise in audiology, one
9 member who is a parent of a child eligible for services by the
10 Learning Gateway, and one provider of related diagnostic and
11 intervention services. The President of the Senate shall
12 appoint one member from the private sector who has expertise
13 in communications, management or service provision, one member
14 who has expertise in emergent literacy, one member who has
15 expertise in pediatrics, one member who has expertise in brain
16 development, one member who is a parent of a child eligible
17 for services by the Learning Gateway, and one member who is a
18 provider of related diagnostic and intervention services. The
19 Speaker of the House of Representatives shall appoint one
20 member from the private sector who has expertise in
21 communications, management or service provision, one member
22 who has expertise in environmental health and allergies, one
23 member who has expertise in children's nutrition, one member
24 who has expertise in family medicine, one parent of a child
25 eligible for services by the Learning Gateway, and one member
26 who is a school psychologist providing diagnostic and
27 intervention services.

28 (e) To support and facilitate system improvements, the
29 steering committee must consult with representatives from the
30 Department of Education, the Department of Health, the Florida
31 Partnership for School Readiness, the Department of Children

1 and Family Services, the Agency for Health Care
2 Administration, the Department of Juvenile Justice, and the
3 Department of Corrections and the director of the Learning
4 Development and Evaluation Center of Florida Agricultural and
5 Mechanical University.

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

11 (g) Steering committee members shall not receive
12 compensation for their services, but may receive reimbursement
13 for travel expenses incurred under section 112.061, Florida
14 Statutes.

15 (3) LEARNING GATEWAY DEMONSTRATION PROJECTS.--

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

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

1 services required to address the needs of 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 would be 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 services for children from birth to age 9, to the
19 extent allowed by federal regulations, if such changes would
20 improve coordination and reduce unnecessary duplication of
21 effort.

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

26 (g) Addressing system components delineated in section
27 8 of this act, each demonstration project proposal must
28 include, at a minimum:

29 1. Protocols for requiring and receiving parental
30 consent for Learning Gateway services.

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1 2. A method for establishing communication with
2 parents and coordination and planning processes within the
3 community.

4 3. Action steps for making appropriate linkages to
5 existing services within the community.

6 4. Procedures to determine gaps in services and
7 identify appropriate providers.

8 5. A lead agency to serve as the system access point,
9 or gateway.

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

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

27 Section 8. Components of the Learning Gateway.--

28 (1) The Learning Gateway system consists of the
29 following components:

30 (a) Community education strategies and family-oriented
31 access.--

- 1 1. Each local demonstration project shall establish
2 the system access point, or gateway, by which parents can
3 receive information about available appropriate services. An
4 existing public or private agency or provider or new provider
5 may serve as the system gateway. The local Learning Gateway
6 should provide parents and caretakers with a single point of
7 access for screening, assessment, and referral for services
8 for children from birth through age 9. The demonstration
9 projects have the budgetary authority to hire appropriate
10 personnel to perform administrative functions. These staff
11 members must be knowledgeable about child development, early
12 identification of learning problems and learning disabilities,
13 family service planning, and services in the local area. Each
14 demonstration project must arrange for the following services
15 to be provided by existing service systems:
- 16 a. Conducting intake with families.
17 b. Conducting appropriate screening or referral for
18 such services.
- 19 c. Conducting needs/strengths-based family assessment.
20 d. Developing family resource plans.
21 e. Making referrals for needed services and assisting
22 families in the application process.
- 23 f. Providing service coordination as needed by
24 families.
- 25 g. Assisting families in establishing a medical home.
26 h. Conducting case management and transition planning
27 as necessary.
- 28 i. Monitoring performance of service providers against
29 appropriate standards.
- 30 2. The Learning Gateway Steering Committee and
31 demonstration projects shall designate a central information

1 and referral access phone number for parents in each pilot
2 community. This centralized phone number should be used to
3 increase public awareness and to improve access to local
4 supports and services for children from birth through age 9
5 and their families. The number should be highly publicized as
6 the primary source of information on services for young
7 children. The telephone staff should be trained and supported
8 to offer accurate and complete information and to make
9 appropriate referrals to existing public and private community
10 agencies.

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

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

1 projects in developing and distributing educational materials
2 and information.

3 a. Public awareness strategies targeting parents of
4 children from birth through age 5 shall be designed to provide
5 information to public and private preschool programs,
6 childcare providers, pediatricians, parents, and local
7 businesses and organizations. These strategies should include
8 information on the school readiness performance standards for
9 kindergarten adopted by the School Readiness Partnership
10 Board.

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

19 (b) Screening and developmental monitoring.--

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

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 providing
19 parents the option of improved screening and referral
20 practices within public and private early care and education
21 programs and K-3 public and private school settings.
22 Strategies may include training and technical assistance teams
23 to assist program providers and teachers. The program shall
24 collaborate appropriately with the school readiness
25 coalitions, local school boards, and other community resources
26 in arranging training and technical assistance for early
27 identification and screening with parental consent.

28 5. The demonstration project shall work with
29 appropriate local entities to reduce the duplication of
30 cross-agency screening in each demonstration project area.
31 Demonstration projects shall provide opportunities for public

1 and private providers of screening and assessment at each age
2 level to meet periodically to identify gaps or duplication of
3 efforts in screening practices.

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

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

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

1 8. When results of screening suggest developmental
2 problems, potential learning problems, or learning
3 disabilities, the intervention program shall inform the
4 child's parent of the results of the screening and shall offer
5 to refer the child to the Learning Gateway for coordination of
6 further assessment. If the parent chooses to have 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 have been
11 found ineligible for services under Part B or Part C of the
12 IDEA to inform them of other services available in the county.

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

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

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

- 1 a. High-quality early education and care programs.
2 b. Assistance to parents and other caregivers, such as
3 home-based modeling programs for parents and play programs to
4 provide peer interactions.
5 c. Speech and language therapy that is
6 age-appropriate.
7 d. Parent education and training.
8 e. Comprehensive medical screening and referral with
9 biomedical interventions as necessary.
10 f. Referral as needed for family therapy, other mental
11 health services, and treatment programs.
12 g. Family support services as necessary.
13 h. Therapy for learning differences in reading and
14 math, and attention to subject material for children in grades
15 K-3.
16 i. Referral for Part B or Part C services as required.
17 j. Expanded access to community-based services for
18 parents.
19 k. Parental choice in the provision of services by
20 public and private providers.

21
22 The model shall include a statement of the cost of
23 implementing the model.

24 2. Demonstration projects shall develop strategies to
25 increase the use of appropriate intervention practices with
26 children who have learning problems and learning disabilities
27 within public and private early care and education programs
28 and K-3 public and private school settings. Strategies may
29 include training and technical assistance teams. Intervention
30 must be coordinated and must focus on providing effective
31 supports to children and their families within their regular

1 education and community environment. These strategies must
2 incorporate, as appropriate, school and district activities
3 related to the student's academic improvement plan and must
4 provide parents with greater access to community-based
5 services that should be available beyond the traditional
6 school day. Academic expectations for public school students
7 in grades K-3 must be based upon the local school board's
8 adopted proficiency levels. When appropriate, school personnel
9 shall consult with the local Learning Gateway to identify
10 other community resources for supporting the child and the
11 family.

12 3. The steering committee, in cooperation with the
13 Department of Children and Family Services, the Department of
14 Education, and the Florida Partnership for School Readiness,
15 shall identify the elements of an effective research-based
16 curriculum for early care and education programs.

17 4. The steering committee, in conjunction with the
18 demonstration projects, shall develop processes for
19 identifying and sharing promising practices and shall showcase
20 these programs and practices at a dissemination conference.

21 5. The steering committee shall establish processes
22 for facilitating state and local providers' ready access to
23 information and training concerning effective instructional
24 and behavioral practices and interventions based on advances
25 in the field and for encouraging researchers to regularly
26 guide practitioners in designing and implementing
27 research-based practices. The steering committee shall assist
28 the demonstration projects in conducting a conference for
29 participants in the three demonstration projects for the
30 dissemination of information on best practices and new
31 insights about early identification, education, and

1 intervention for children from birth through age 9. The
2 conference should be established so that continuing education
3 credits may be awarded to medical professionals, teachers, and
4 others for whom this is an incentive.

5 6. Demonstration projects shall investigate and may
6 recommend to the steering committee more effective resource
7 allocation and flexible funding strategies if such strategies
8 are in the best interest of the children and families in the
9 community. The Department of Education and other relevant
10 agencies shall assist the demonstration projects in securing
11 state and federal waivers as appropriate.

12 Section 9. Accountability.--

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

18 (2) The steering committee, in conjunction with the
19 demonstration projects, shall develop accountability
20 mechanisms to ensure that the demonstration programs are
21 effective and that resources are used as efficiently as
22 possible. Accountability should be addressed through a
23 multilevel evaluation system, including measurement of
24 outcomes and operational indicators. Measurable outcomes must
25 be developed to address improved child development, improved
26 child health, and success in school. Indicators of system
27 improvements must be developed to address quality of programs
28 and integration of services. Agency monitoring of programs
29 shall include a review of child and family outcomes and system
30 effectiveness indicators with a specific focus on elimination
31

1 of unnecessary duplication of planning, screening, and
2 services.

3 (3) The steering committee shall oversee a formative
4 evaluation of the project during implementation, including
5 reporting short-term outcomes and system improvements. By
6 January 2005, the steering committee shall make
7 recommendations to the Governor, the President of the Senate,
8 the Speaker of the House of Representatives, and the
9 Commissioner of Education related to the merits of expansion
10 of the demonstration projects.

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

20 (a) Establish a system whereby parents can access
21 information about learning problems in young children and
22 receive services at their discretion;

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

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

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

1 (f) 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 (g) Provide appropriate support to families;

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

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

10 (j) Address development of implementation plans to
11 establish protocols for requiring and receiving parental
12 consent for services; to identify action steps, responsible
13 parties, and implementation schedules; and to ensure
14 appropriate alignment with agency strategic plans.

15 Section 10. The Legislature shall appropriate a sum of
16 money to fund the demonstration programs and shall authorize
17 selected communities to blend funding from existing programs
18 to the extent that this is advantageous to the community and
19 is consistent with federal requirements.

20 Section 11. Section 244.03, Florida Statutes, is
21 repealed.

22 Section 12. This act shall take effect January 7,
23 2003.