

1 A bill to be entitled
2 An act relating to public school student
3 progression; amending s. 232.245, F.S.;
4 revising guidelines for allocation of school
5 district remedial and supplemental instruction
6 resources; prescribing content of academic
7 improvement plans; prescribing guidelines for
8 remedial reading instruction; requiring
9 parental notification of reading deficiency;
10 prohibiting social promotion and providing
11 standards for exemptions from
12 mandatory-retention requirements; requiring
13 reports by district school boards; providing
14 powers and duties of the State Board of
15 Education with respect to enforcement of
16 mandatory retention; authorizing a
17 demonstration program to be called Learning
18 Gateway; creating a steering committee;
19 providing for membership and appointment of
20 steering committee members; establishing duties
21 of the steering committee; authorizing
22 demonstration projects in specified counties;
23 authorizing designated agencies to provide
24 confidential information to such program;
25 providing for funding; providing an effective
26 date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Section 232.245, Florida Statutes, is
31 amended to read:

1 232.245 Public school student ~~Pupil~~ progression;
2 remedial instruction; reporting requirements.--

3 (1) INTENT.--It is the intent of the Legislature that
4 each student's progression from one grade to another be
5 determined, in part, upon proficiency in reading, writing,
6 science, and mathematics; that school district policies
7 facilitate such proficiency; and that each student and his or
8 her parent ~~or legal guardian~~ be informed of that student's
9 academic progress.

10 (2) COMPREHENSIVE PROGRAM.--Each district school board
11 shall establish a comprehensive program for student ~~pupil~~
12 progression which must include:

13 (a) Standards for evaluating each student's ~~pupil's~~
14 performance, including how well he or she masters the
15 performance standards approved by the State Board of Education
16 according to s. 229.565; ~~and~~

17 (b) Specific levels of performance in reading,
18 writing, science, and mathematics for each grade level,
19 including the levels of performance on statewide assessments
20 as defined by the State Board ~~Commissioner~~ of Education, below
21 which a student must receive remediation, or be retained
22 within an intensive program that is different from the
23 previous year's program and that takes into account the
24 student's learning style; ~~and~~.

25 (c) Appropriate alternative placement for a student
26 who has been retained 2 or more years.

27 (3) ALLOCATION OF RESOURCES.--~~District. No student may~~
28 ~~be assigned to a grade level based solely on age or other~~
29 ~~factors that constitute social promotion.~~ school boards shall
30 allocate remedial and supplemental instruction resources to
31 the following priorities:

1 (a) Students who are deficient in reading by the end
2 of grade 3.

3 (b) first to Students who fail to meet ~~achievement~~
4 performance levels required for promotion consistent with the
5 district school board's plan for student progression required
6 in paragraph (2)(b). ~~The state board shall adopt rules to~~
7 ~~prescribe limited circumstances in which a student may be~~
8 ~~promoted without meeting the specific assessment performance~~
9 ~~levels prescribed by the district's pupil progression plan.~~
10 ~~Such rules shall specifically address the promotion of~~
11 ~~students with limited English proficiency and students with~~
12 ~~disabilities. A school district must consider an appropriate~~
13 ~~alternative placement for a student who has been retained 2 or~~
14 ~~more years.~~

15 (4)(3) ASSESSMENT AND REMEDIATION.--

16 (a) Each student must participate in the statewide
17 assessment tests required by s. 229.57. Each student who does
18 not meet specific levels of performance as determined by the
19 district school board in reading, writing, science, and
20 mathematics for each grade level, or who does not meet
21 specific levels of performance, determined by the State Board
22 ~~Commissioner~~ of Education, on statewide assessments at
23 selected grade levels, must be provided with additional
24 diagnostic assessments to determine the nature of the
25 student's difficulty and areas of academic need.

26 (b) The school in which the student is enrolled must
27 develop, in consultation with the student's parent ~~or legal~~
28 ~~guardian~~, and must implement an academic improvement plan
29 designed to assist the student in meeting state and district
30 expectations for proficiency. Beginning with the 2002-2003
31 school year, if the student has been identified as having a

1 deficiency in reading, the academic improvement plan shall
2 identify the student's specific areas of deficiency in
3 phonemic awareness, phonics, fluency, comprehension, and
4 vocabulary; the desired levels of performance in these areas;
5 and the instructional and support services to be provided to
6 help the student meet the desired levels of performance.
7 Schools shall also provide for the frequent monitoring of the
8 student's progress in meeting the desired levels of
9 performance. District school boards shall assist schools and
10 teachers in implementing research-based reading activities
11 that have been shown to be successful in teaching reading to
12 low-performing students.~~Each plan must include the provision~~
13 ~~of intensive remedial instruction in the areas of weakness.~~
14 Remedial instruction provided during high school may not be in
15 lieu of English and mathematics credits required for
16 graduation.

17 (c) Upon subsequent evaluation, if the documented
18 deficiency has not been remediated ~~corrected~~ in accordance
19 with the academic improvement plan, the student shall ~~may~~ be
20 retained. Each student who does not meet the minimum
21 performance expectations defined by the Commissioner of
22 Education for the statewide assessment tests in reading,
23 writing, science, and mathematics must continue to be provided
24 with remedial or supplemental instruction until the
25 expectations are met or the student graduates from high school
26 or is not subject to compulsory school attendance.

27 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.--

28 (a) It is the ultimate goal of the Legislature that
29 every student read at or above grade level. Any student who
30 exhibits a substantial deficiency in reading, based upon
31 locally determined or statewide assessments conducted in

1 kindergarten, grade 1, grade 2, or grade 3, or through teacher
2 observations, must be given intensive reading instruction
3 immediately following the identification of the reading
4 deficiency. The student's reading proficiency must be
5 reassessed by locally determined assessments or through
6 teacher observations at the beginning of the grade following
7 the intensive reading instruction. The student must continue
8 to be provided with intensive reading instruction until the
9 reading deficiency is remedied.

10 (b) Beginning with the 2002-2003 school year, if the
11 student's reading deficiency, as identified in paragraph (a),
12 is not remediated by the end of grade 3, as demonstrated by
13 scoring at level 2 or higher on the statewide assessment test
14 in reading for grade 3, the student must be retained.

15 (c) Beginning with the 2002-2003 school year, the
16 parent of any student who exhibits a substantial deficiency in
17 reading, as described in paragraph (a), must be given, in
18 writing:

19 1. Notice that his or her child has been identified as
20 having a substantial deficiency in reading;

21 2. A description of the current services that are
22 provided to the child;

23 3. A description of the proposed supplemental
24 instructional services and supports that will be provided to
25 the child which are designed to remediate the identified area
26 of reading deficiency; and

27 4. Notice that, if the child's reading deficiency is
28 not remediated by the end of grade 3, the child must be
29 retained unless the student is exempt for good cause from
30 mandatory retention.

31

1 ~~(4) Any student who exhibits substantial deficiency in~~
2 ~~reading skills, based on locally determined assessments~~
3 ~~conducted before the end of grade 1 or 2, or based on teacher~~
4 ~~recommendation, must be given intensive reading instruction~~
5 ~~immediately following the identification of the reading~~
6 ~~deficiency. The student's reading proficiency must be~~
7 ~~reassessed by locally determined assessment or based on~~
8 ~~teacher recommendation at the beginning of the grade following~~
9 ~~the intensive reading instruction, and the student must~~
10 ~~continue to be given intensive reading instruction until the~~
11 ~~reading deficiency is remedied. If the student's reading~~
12 ~~deficiency, as determined by the locally determined assessment~~
13 ~~at grades 1 and 2, or by the statewide assessment at grade 3,~~
14 ~~is not remedied by the end of grade 4, and if the student~~
15 ~~scores below the specific level of performance on the~~
16 ~~statewide assessment test in reading, the student must be~~
17 ~~retained.~~

18 (6) ELIMINATION OF SOCIAL PROMOTIONS.--

19 (a) No student shall be assigned to a grade level
20 based solely on age or other factors that constitute social
21 promotion.

22 (b) The district local school board may exempt
23 students a student from mandatory retention, as provided in
24 paragraph (5)(b), only for good cause. Good-cause exemptions
25 shall be limited to the following:

26 1. Students having limited English proficiency who
27 have had less than 2 years of instruction in a program of
28 English for speakers of other languages.

29 2. Students with disabilities, whose individual
30 education plan indicates that participation in the statewide
31

1 assessment program is not appropriate, consistent with the
2 requirements of State Board of Education rule.

3 3. Students who demonstrate an acceptable level of
4 performance on an alternative standardized reading assessment
5 approved by the State Board of Education.

6 4. Students who demonstrate, through a student
7 portfolio, that they are reading on grade level as evidenced
8 by demonstration of mastery of the Sunshine State Standards in
9 reading equal to at least a level 2 performance on the FCAT.

10 5. Students with disabilities who participate in the
11 FCAT, with an individual education plan or a Section 504 plan
12 that reflects that the student has received the intensive
13 remediation in reading as required by paragraph (4)(b) for
14 more than 2 years but still demonstrates a deficiency in
15 reading and who were previously retained in kindergarten,
16 grade 1, or grade 2.

17 6. Students who have received the intensive
18 remediation in reading as required by paragraph (4)(b) for 2
19 or more years but still demonstrate a deficiency in reading
20 and who were previously retained in kindergarten, grade 1, or
21 grade 2 for a total of 2 years. Intensive reading instruction
22 for students so promoted must include an altered instructional
23 day based upon an academic improvement plan that includes
24 specialized diagnostic information and specific reading
25 strategies for each student. The school district shall assist
26 schools and teachers in implementing reading strategies that
27 research has shown to be successful in improving reading among
28 low-performing readers.

29 (c) Requests for good-cause exemptions from the
30 mandatory retention requirement, as described in
31

1 sub-subparagraphs (b)3. and 4., shall be made consistent with
2 the following:

3 1. The student's teacher must submit documentation to
4 the school principal which indicates that the promotion of the
5 student is appropriate and is based upon the student's
6 academic record. In order to minimize paperwork requirements,
7 such documentation shall consist only of the existing Academic
8 Improvement Plan; Individual Education Plan, if applicable;
9 report card; or student portfolio.

10 2. The school principal shall review and discuss such
11 recommendation with the teacher and make the determination as
12 to whether the student should be promoted or retained. If the
13 school principal determines that the student should be
14 promoted, the school principal shall make such recommendation
15 in writing to the district school superintendent. The district
16 school superintendent must accept or reject the school
17 principal's recommendation in writing.

18 (7)(5) ANNUAL REPORT.--

19 (a) In addition to the requirements in paragraph
20 (5)(b), each district school board must annually report to the
21 parent ~~or legal guardian~~ of each student the progress of the
22 student towards achieving state and district expectations for
23 proficiency in reading, writing, science, and mathematics. The
24 district school board must report to the parent ~~or legal~~
25 guardian the student's results on each statewide assessment
26 test. The evaluation of each student's progress must be based
27 upon the student's classroom work, observations, tests,
28 district and state assessments, and other relevant
29 information. Progress reporting must be provided to the parent
30 ~~or legal guardian~~ in writing in a format adopted by the
31 district school board.

1 (b) Beginning with the 2002-2003 school year, each
2 district school board must annually publish, in the local
3 newspaper, and submit in a report to the State Board of
4 Education, by September 1, the following information on the
5 prior school year:

6 1. The provisions of this section relating to public
7 school student progression and the district school board's
8 policies and procedures on student retention and promotion.

9 2. By grade, the number and percent of all students in
10 grades 3 through 10 performing at levels 1 and 2 on the
11 reading portion of the FCAT.

12 3. By grade, the number and percent of all students
13 retained in grades 3 through 10.

14 4. Information on the total number of students that
15 were promoted for good-cause, by each category of good cause
16 in paragraph (6)(b).

17 5. Any revisions to the district school board's policy
18 on student retention and promotion from the prior year.

19 (8) STATE BOARD OF EDUCATION OVERSIGHT ENFORCEMENT
20 AUTHORITY.--The State Board of Education shall oversee the
21 performance of district school boards in enforcement of this
22 section and applicable state board rules. District school
23 boards shall be primarily responsible for compliance with this
24 section and applicable state board rules.

25 (a) In order to ensure compliance with this section
26 and applicable state board rules, the State Board of Education
27 shall have the authority to request and receive information,
28 data, and reports from school districts. District school
29 superintendents are responsible for the accuracy of the
30 information and data reported to the state board.

31

1 (b) The Commissioner of Education may investigate
2 allegations of noncompliance with this section and applicable
3 state board rules and determine probable cause for future
4 action. Upon determination of probable cause, the commissioner
5 shall report to the State Board of Education, which shall
6 require the district school board to document compliance with
7 this section or applicable state board rules.

8 (c) If the district school board cannot satisfactorily
9 document compliance, the State Board of Education may order
10 compliance within a specified timeframe.

11 (d) If the State Board of Education determines that a
12 district school board is unwilling or unable to comply with
13 this section or applicable state board rules within the
14 specified time, the state board shall have the authority to
15 initiate any of the following actions:

16 1. Report to the Legislature that the school district
17 has been unwilling or unable to comply with this section or
18 applicable state board rules and recommend action to be taken
19 by the Legislature.

20 2. Reduce the discretionary lottery appropriation
21 until the school district complies with this section or
22 applicable state board rules.

23 3. Withhold the transfer of state funds, discretionary
24 grant funds, or any other funds specified as eligible for this
25 purpose by the Legislature until the school district complies
26 with this section or applicable state board rules.

27 4. Declare the school district ineligible for
28 competitive grants.

29 5. Require monthly or periodic reporting on the
30 situation related to noncompliance until the noncompliance is
31 remedied.

1 (e) Nothing in this section shall be construed to
2 create a private cause of action or create any rights for
3 individuals or entities in addition to those provided
4 elsewhere in law or rule.

5 ~~(f)(6)~~ The State Board ~~Commissioner~~ of Education shall
6 adopt rules pursuant to ss. 120.536(1) and 120.54 for the
7 administration of this section.

8 ~~(9)(7)~~ TECHNICAL ASSISTANCE.--The Department of
9 Education shall provide technical assistance as needed to aid
10 school districts in administering this section.

11 Section 2. Learning Gateway.--

12 (1) PROGRAM GOALS.--The Legislature authorizes a
13 3-year demonstration program, to be called the Learning
14 Gateway, the purpose of which is to provide parents access to
15 information, referral, and services to lessen the effects of
16 learning disabilities in children from birth to age 9.
17 Parental consent shall be required for initial contact and
18 referral for evaluation and services provided through the
19 Learning Gateway. Each pilot program must design and test an
20 integrated, community-based system to help parents identify
21 learning problems and access early-education and intervention
22 services in order to minimize or prevent learning
23 disabilities. The Learning Gateway must be available to
24 parents in the settings where they and their children live,
25 work, seek care, or study. The goals of the Learning Gateway
26 are to:

27 (a) Improve community awareness and education of
28 parents and practitioners about the warning signs or
29 precursors of learning problems and learning disabilities,
30 including disorders or delayed development in language,
31 attention, behavior, and social-emotional functioning,

1 including dyslexia and attention deficit hyperactivity
2 disorder, in children from birth through age 9.

3 (b) Improve access for children who are experiencing
4 early learning problems and their families to appropriate
5 programs, services, and supports through improved outreach and
6 referral processes among providers.

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

11 (d) Improve the availability to parents of appropriate
12 education and intervention programs, services, and supports to
13 address learning problems and learning disabilities.

14 (e) Identify gaps in the array of services and
15 supports so that an appropriate child-centered and
16 family-centered continuum of education and support would be
17 readily available in each community.

18 (f) Improve accountability of the system through
19 improved planning, integration, and collaboration among
20 providers and through outcome measurement in collaboration
21 with parents.

22 (2) LEARNING GATEWAY STEERING COMMITTEE.--

23 (a) To ensure that parents of children with potential
24 learning problems and learning disabilities have access to the
25 appropriate necessary services and supports, an 18-member
26 steering committee is created. The steering committee is
27 assigned to the Department of Education for administrative
28 purposes.

29 (b) The duties of the Learning Gateway Steering
30 Committee are to provide policy development, consultation,
31 oversight, and support for the implementation of three

1 demonstration programs and to advise the agencies, the
2 Legislature, and the Governor on statewide implementation of
3 system components and issues and on strategies for continuing
4 improvement to the system.

5 (c) The steering committee shall direct the
6 administering agency of the Learning Gateway program to expend
7 the funds appropriated for the steering committee's use to
8 procure the products delineated in section 3 of this act
9 through contracts or other means. The steering committee and
10 the Learning Gateway pilot programs will provide information
11 and referral for services but will not provide direct services
12 to parents or children.

13 (d) The steering committee must include parents,
14 service providers, and representatives of the disciplines
15 relevant to diagnosis of and intervention in early learning
16 problems. The Governor shall appoint one member from the
17 private sector who has expertise in communications, management
18 or service provision, one member who has expertise in
19 children's vision, one member who has expertise in learning
20 disabilities, one member who has expertise in audiology, one
21 member who is a parent of a child eligible for services by the
22 Learning Gateway, and one provider of related diagnostic and
23 intervention services. The President of the Senate shall
24 appoint one member from the private sector who has expertise
25 in communications, management or service provision, one member
26 who has expertise in emergent literacy, one member who has
27 expertise in pediatrics, one member who has expertise in brain
28 development, one member who is a parent of a child eligible
29 for services by the Learning Gateway, and one member who is a
30 provider of related diagnostic and intervention services. The
31 Speaker of the House of Representatives shall appoint one

1 member from the private sector who has expertise in
2 communications, management or service provision, one member
3 who has expertise in environmental health and allergies, one
4 member who has expertise in children's nutrition, one member
5 who has expertise in family medicine, one parent of a child
6 eligible for services by the Learning Gateway, and one member
7 who is a school psychologist providing diagnostic and
8 intervention services.

9 (e) To support and facilitate system improvements, the
10 steering committee must consult with representatives from the
11 Department of Education, the Department of Health, the Florida
12 Partnership for School Readiness, the Department of Children
13 and Family Services, the Agency for Health Care
14 Administration, the Department of Juvenile Justice, and the
15 Department of Corrections and the director of the Learning
16 Development and Evaluation Center of Florida Agricultural and
17 Mechanical University.

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

23 (g) Steering committee members shall not receive
24 compensation for their services, but may receive reimbursement
25 for travel expenses incurred under section 112.061, Florida
26 Statutes.

27 (3) LEARNING GATEWAY DEMONSTRATION PROJECTS.--

28 (a) Within 90 days after its initial meeting, the
29 Learning Gateway Steering Committee shall accept proposals
30 from interagency consortia in Orange, Manatee, and St. Lucie
31 counties which comprise public and private providers,

1 community agencies, business representatives, and the local
2 school board in each county to serve as demonstration sites
3 for design and development of a system that addresses the
4 requirements in section 3 of this act. If there is no proposal
5 from one of the designated counties, the steering committee
6 may select another county to serve as a demonstration site by
7 majority vote.

8 (b) The proposals for demonstration projects must
9 provide a comprehensive and detailed description of the system
10 of care. The description of the proposed system of care must
11 clearly indicate the point of access for parents, integration
12 of services, linkages of providers, and additional array of
13 services required to address the needs of children and
14 families.

15 (c) The demonstration projects should ensure that the
16 system of care appropriately includes existing services to the
17 fullest extent possible and should determine additional
18 programs, services, and supports that would be necessary to
19 implement the requirements of this act.

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

24 (e) The demonstration projects shall recommend to the
25 steering committee the linking or combining of some or all of
26 the local planning bodies, including school readiness
27 coalitions, Healthy Start coalitions, Part C advisory
28 councils, Department of Children and Family Services community
29 alliances, and other boards or councils that have a primary
30 focus on services for children from birth to age 9, to the
31 extent allowed by federal regulations, if such changes would

1 improve coordination and reduce unnecessary duplication of
2 effort.

3 (f) Demonstration projects shall use public and
4 private partnerships, partnerships with faith-based
5 organizations, and volunteers, as appropriate, to enhance
6 accomplishment of the goals of the system.

7 (g) Addressing system components delineated in section
8 3 of this act, each demonstration project proposal must
9 include, at a minimum:

10 1. Protocols for requiring and receiving parental
11 consent for Learning Gateway services.

12 2. A method for establishing communication with
13 parents and coordination and planning processes within the
14 community.

15 3. Action steps for making appropriate linkages to
16 existing services within the community.

17 4. Procedures to determine gaps in services and
18 identify appropriate providers.

19 5. A lead agency to serve as the system access point,
20 or gateway.

21 (h) As authorized under the budget authority of the
22 Department of Education, demonstration projects,
23 representative of the diversity of the communities in this
24 state, shall be established in Manatee, Orange, and St. Lucie
25 counties as local Learning Gateway sites and shall be
26 authorized to hire staff, establish office space, and contract
27 for administrative services as needed to implement the project
28 within the budget designated by the Legislature.

29 (i) The steering committee must approve, deny, or
30 conditionally approve a Learning Gateway proposal within 60
31 days after receipt of the proposal. If a proposal is

1 conditionally approved, the steering committee must assist the
2 Learning Gateway applicant to correct deficiencies in the
3 proposal by December 1, 2002. Funds must be available to a
4 pilot program 15 days after final approval of its proposal by
5 the steering committee. Funds must be available to all pilot
6 programs by January 1, 2003.

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

8 (1) The Learning Gateway system consists of the
9 following components:

10 (a) Community education strategies and family-oriented
11 access.--

12 1. Each local demonstration project shall establish
13 the system access point, or gateway, by which parents can
14 receive information about available appropriate services. An
15 existing public or private agency or provider or new provider
16 may serve as the system gateway. The local Learning Gateway
17 should provide parents and caretakers with a single point of
18 access for screening, assessment, and referral for services
19 for children from birth through age 9. The demonstration
20 projects have the budgetary authority to hire appropriate
21 personnel to perform administrative functions. These staff
22 members must be knowledgeable about child development, early
23 identification of learning problems and learning disabilities,
24 family service planning, and services in the local area. Each
25 demonstration project must arrange for the following services
26 to be provided by existing service systems:

27 a. Conducting intake with families.

28 b. Conducting appropriate screening or referral for
29 such services.

30 c. Conducting needs/strengths-based family assessment.

31 d. Developing family resource plans.

1 e. Making referrals for needed services and assisting
2 families in the application process.

3 f. Providing service coordination as needed by
4 families.

5 g. Assisting families in establishing a medical home.

6 h. Conducting case management and transition planning
7 as necessary.

8 i. Monitoring performance of service providers against
9 appropriate standards.

10 2. The Learning Gateway Steering Committee and
11 demonstration projects shall designate a central information
12 and referral access phone number for parents in each pilot
13 community. This centralized phone number should be used to
14 increase public awareness and to improve access to local
15 supports and services for children from birth through age 9
16 and their families. The number should be highly publicized as
17 the primary source of information on services for young
18 children. The telephone staff should be trained and supported
19 to offer accurate and complete information and to make
20 appropriate referrals to existing public and private community
21 agencies.

22 3. In collaboration with local resources such as
23 Healthy Start, the demonstration projects shall develop
24 strategies for offering hospital visits or home visits by
25 trained staff to new mothers. The Learning Gateway Steering
26 Committee shall provide technical assistance to local
27 demonstration projects in developing brochures and other
28 materials to be distributed to parents of newborns.

29 4. In collaboration with other local resources, the
30 demonstration projects shall develop public awareness
31 strategies to disseminate information about developmental

1 milestones, precursors of learning problems and other
2 developmental delays, and the service system that is
3 available. The information should target parents of children
4 from birth through age 9 and should be distributed to parents,
5 health care providers, and caregivers of children from birth
6 through age 9. A variety of media should be used as
7 appropriate, such as print, television, radio, and a
8 community-based internet web site, as well as opportunities
9 such as those presented by parent visits to physicians for
10 well-child check-ups. The Learning Gateway Steering Committee
11 shall provide technical assistance to the local demonstration
12 projects in developing and distributing educational materials
13 and information.

14 a. Public awareness strategies targeting parents of
15 children from birth through age 5 shall be designed to provide
16 information to public and private preschool programs,
17 childcare providers, pediatricians, parents, and local
18 businesses and organizations. These strategies should include
19 information on the school readiness performance standards for
20 kindergarten adopted by the School Readiness Partnership
21 Board.

22 b. Public awareness strategies targeting parents of
23 children from ages 6 through 9 must be designed to disseminate
24 training materials and brochures to parents and public and
25 private school personnel, and must be coordinated with the
26 local school board and the appropriate school advisory
27 committees in the demonstration projects. The materials should
28 contain information on state and district proficiency levels
29 for grades K-3.

30 (b) Screening and developmental monitoring.--
31

1 1. In coordination with the Partnership for School
2 Readiness, the Department of Education, and the Florida
3 Pediatric Society, and using information learned from the
4 local demonstration projects, the Learning Gateway Steering
5 Committee shall establish guidelines for screening children
6 from birth through age 9. The guidelines should incorporate
7 recent research on the indicators most likely to predict early
8 learning problems, mild developmental delays, child-specific
9 precursors of school failure, and other related developmental
10 indicators in the domains of cognition; communication;
11 attention; perception; behavior; and social, emotional,
12 sensory, and motor functioning.

13 2. Based on the guidelines established by the steering
14 committee and in cooperation with the Florida Pediatric
15 Society, the steering committee shall adopt a comprehensive
16 checklist for child healthcare checkups and a corresponding
17 training package for physicians and other medical personnel in
18 implementing more effective screening for precursors of
19 learning problems, learning disabilities, and mild
20 developmental delays.

21 3. Using the screening guidelines developed by the
22 steering committee, local demonstration projects should engage
23 local physicians and other medical professionals in enhancing
24 the screening opportunities presented by immunization visits
25 and other well-child appointments, in accordance with the
26 American Academy of Pediatrics Periodicity Schedule.

27 4. Using the screening guidelines developed by the
28 steering committee, the demonstration projects shall develop
29 strategies to increase early identification of precursors to
30 learning problems and learning disabilities through providing
31 parents the option of improved screening and referral

1 practices within public and private early care and education
2 programs and K-3 public and private school settings.
3 Strategies may include training and technical assistance teams
4 to assist program providers and teachers. The program shall
5 collaborate appropriately with the school readiness
6 coalitions, local school boards, and other community resources
7 in arranging training and technical assistance for early
8 identification and screening with parental consent.

9 5. The demonstration project shall work with
10 appropriate local entities to reduce the duplication of
11 cross-agency screening in each demonstration project area.
12 Demonstration projects shall provide opportunities for public
13 and private providers of screening and assessment at each age
14 level to meet periodically to identify gaps or duplication of
15 efforts in screening practices.

16 6. Based on technical assistance and support provided
17 by the steering committee and in conjunction with the school
18 readiness coalitions and other appropriate entities,
19 demonstration projects shall develop a system to log the
20 number of children screened, assessed, and referred for
21 services. After development and testing, tracking should be
22 supported by a standard electronic data system for screening
23 and assessment information.

24 7. In conjunction with the technical assistance of the
25 steering committee, demonstration projects shall develop a
26 system for targeted screening. The projects should conduct a
27 needs assessment of existing services and programs where
28 targeted screening programs should be offered. Based on the
29 results of the needs assessment, the project shall develop
30 procedures within the demonstration community whereby periodic
31 developmental screening could be offered to parents of

1 children from birth through age 9 who are served by state
2 intervention programs or whose parents or caregivers are in
3 state intervention programs. Intervention programs for
4 children, parents, and caregivers include those administered
5 or funded by the:

6 a. Agency for Health Care Administration;

7 b. Department of Children and Family Services;

8 c. Department of Corrections and other criminal
9 justice programs;

10 d. Department of Education;

11 e. Department of Health; and

12 f. Department of Juvenile Justice.

13 8. When results of screening suggest developmental
14 problems, potential learning problems, or learning
15 disabilities, the intervention program shall inform the
16 child's parent of the results of the screening and shall offer
17 to refer the child to the Learning Gateway for coordination of
18 further assessment. If the parent chooses to have further
19 assessment, the Learning Gateway shall make referrals to the
20 appropriate entities within the service system.

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

25 10. Notwithstanding any law to the contrary, each
26 agency participating in the Learning Gateway is authorized to
27 provide to a Learning Gateway program confidential information
28 exempt from disclosure under chapter 119, Florida Statutes,
29 regarding a developmental screening on any child participating
30 in the Learning Gateway who is or has been the subject of a
31

1 developmental screening within the jurisdiction of each
2 agency.

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

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

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

15 b. Assistance to parents and other caregivers, such as
16 home-based modeling programs for parents and play programs to
17 provide peer interactions.

18 c. Speech and language therapy that is
19 age-appropriate.

20 d. Parent education and training.

21 e. Comprehensive medical screening and referral with
22 biomedical interventions as necessary.

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

25 g. Family support services as necessary.

26 h. Therapy for learning differences in reading and
27 math, and attention to subject material for children in grades
28 K-3.

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

30 j. Expanded access to community-based services for
31 parents.

1 k. Parental choice in the provision of services by
2 public and private providers.

3
4 The model shall include a statement of the cost of
5 implementing the model.

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

25 3. The steering committee, in cooperation with the
26 Department of Children and Family Services, the Department of
27 Education, and the Florida Partnership for School Readiness,
28 shall identify the elements of an effective research-based
29 curriculum for early care and education programs.

30 4. The steering committee, in conjunction with the
31 demonstration projects, shall develop processes for

1 identifying and sharing promising practices and shall showcase
2 these programs and practices at a dissemination conference.

3 5. The steering committee shall establish processes
4 for facilitating state and local providers' ready access to
5 information and training concerning effective instructional
6 and behavioral practices and interventions based on advances
7 in the field and for encouraging researchers to regularly
8 guide practitioners in designing and implementing
9 research-based practices. The steering committee shall assist
10 the demonstration projects in conducting a conference for
11 participants in the three demonstration projects for the
12 dissemination of information on best practices and new
13 insights about early identification, education, and
14 intervention for children from birth through age 9. The
15 conference should be established so that continuing education
16 credits may be awarded to medical professionals, teachers, and
17 others for whom this is an incentive.

18 6. Demonstration projects shall investigate and may
19 recommend to the steering committee more effective resource
20 allocation and flexible funding strategies if such strategies
21 are in the best interest of the children and families in the
22 community. The Department of Education and other relevant
23 agencies shall assist the demonstration projects in securing
24 state and federal waivers as appropriate.

25 Section 4. Accountability.--

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

31

1 (2) The steering committee, in conjunction with the
2 demonstration projects, shall develop accountability
3 mechanisms to ensure that the demonstration programs are
4 effective and that resources are used as efficiently as
5 possible. Accountability should be addressed through a
6 multilevel evaluation system, including measurement of
7 outcomes and operational indicators. Measurable outcomes must
8 be developed to address improved child development, improved
9 child health, and success in school. Indicators of system
10 improvements must be developed to address quality of programs
11 and integration of services. Agency monitoring of programs
12 shall include a review of child and family outcomes and system
13 effectiveness indicators with a specific focus on elimination
14 of unnecessary duplication of planning, screening, and
15 services.

16 (3) The steering committee shall oversee a formative
17 evaluation of the project during implementation, including
18 reporting short-term outcomes and system improvements. By
19 January 2005, the steering committee shall make
20 recommendations to the Governor, the President of the Senate,
21 the Speaker of the House of Representatives, and the
22 Commissioner of Education related to the merits of expansion
23 of the demonstration projects.

24 (4) By January 1, 2005, the steering committee, in
25 conjunction with the demonstration projects, shall develop a
26 model county-level strategic plan to formalize the goals,
27 objectives, strategies, and intended outcomes of the
28 comprehensive system, and to support the integration and
29 efficient delivery of all services and supports for parents of
30 children from birth through age 9 who have learning problems
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1 or learning disabilities. The model county-level strategic
2 plan must include, but need not be limited to, strategies to:
3 (a) Establish a system whereby parents can access
4 information about learning problems in young children and
5 receive services at their discretion;
6 (b) Improve early identification of those who are at
7 risk for learning problems and learning disabilities;
8 (c) Provide access to an appropriate array of services
9 within the child's natural environment or regular classroom
10 setting or specialized training in other settings;
11 (d) Improve and coordinate screening for children from
12 birth through age 9;
13 (e) Improve and coordinate services for children from
14 birth through age 9;
15 (f) Address training of professionals in effectively
16 identifying factors, across all domains, which place children
17 from birth through age 9 at risk of school failure and in
18 appropriate interventions for the learning differences;
19 (g) Provide appropriate support to families;
20 (h) Share best practices with caregivers and referral
21 sources;
22 (i) Address resource needs of the assessment and
23 intervention system; and
24 (j) Address development of implementation plans to
25 establish protocols for requiring and receiving parental
26 consent for services; to identify action steps, responsible
27 parties, and implementation schedules; and to ensure
28 appropriate alignment with agency strategic plans.
29 Section 5. The Legislature shall appropriate a sum of
30 money to fund the demonstration programs and shall authorize
31 selected communities to blend funding from existing programs

1 to the extent that this is advantageous to the community and
2 is consistent with federal requirements.

3 Section 6. This act shall take effect July 1, 2002.
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