## Florida Senate - 2005

 ${\bf By}$  the Committees on Governmental Oversight and Productivity; and Commerce and Consumer Services

585-2021-05 1 A bill to be entitled 2 An act relating to a review under the Open 3 Government Sunset Review Act; amending s. 4 411.011, F.S., which provides a public-records 5 exemption for specified records of children б enrolled in school readiness programs; removing 7 the October 2, 2005, repeal thereof scheduled 8 under the Open Government Sunset Review Act; 9 making editorial changes; providing an 10 effective date. 11 Be It Enacted by the Legislature of the State of Florida: 12 13 Section 1. Section 411.011, Florida Statutes, as 14 amended by chapter 2004-484, Laws of Florida, is amended to 15 16 read: 17 411.011 Records of children in school readiness 18 programs.--(1) The individual records of children enrolled in 19 school readiness programs provided under s. 411.01, when held 20 21 by an in the possession of the early learning coalition or the 22 Agency for Workforce Innovation, are confidential and exempt 23 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this section, records include 2.4 25 assessment data, health data, records of teacher observations, and personal identifying information data, including the 26 27 child's social security number. 2.8 (2) A parent, guardian, or individual acting as a 29 parent in the absence of a parent or guardian has the right to inspect and review the individual school readiness program 30 record of his or her child and to obtain a copy of the record. 31 1

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1 (3) School readiness records may be released to: 2 (a) The United States Secretary of Education, the United States Secretary of Health and Human Services, and the 3 Comptroller General of the United States for the purpose of 4 federal audits.+ 5 б (b) to Individuals or organizations conducting studies 7 for institutions to develop, validate, or administer 8 assessments or improve instruction .+ 9 (c) to Accrediting organizations in order to carry out their accrediting functions ... + 10 (d) to Appropriate parties in connection with an 11 12 emergency if the information is necessary to protect the 13 health or safety of the child enrollee student or other individuals.+ 14 (e) to The Auditor General in connection with his or 15 16 her official functions.+ 17 (f) to A court of competent jurisdiction in compliance 18 with an order of that court in accordance with a lawfully issued subpoena .; and 19 (q) to Parties to an interagency agreement among early 20 21 learning coalitions, local governmental agencies, providers of 22 school readiness programs, state agencies, and the Agency for 23 Workforce Innovation for the purpose of implementing the school readiness program. 2.4 25 Agencies, organizations, or individuals that receive school 26 27 readiness records in order to carry out their official 2.8 functions must protect the data in a manner that does not permit the personal identification of <u>a child enrolled in a</u> 29 school readiness program students and their parents by persons 30 other than those authorized to receive the records. This 31

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CS for SB 1028

**Florida Senate - 2005** 585-2021-05

section is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2005, unless reviewed and saved from repeal through reenactment by the Legislature. Section 2. This act shall take effect October 1, 2005. STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 1028 Makes grammatical and clarifying changes. Removes references to specific entities who are acting on behalf of the Agency for Workforce Innovation because those entities fall within the definition of "agency" under ch. 119, F.S. 

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