

ENROLLED

HB 1861

2005 Legislature

A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 411.011, F.S., which provides a public records exemption for specified records of children enrolled in school readiness programs; removing the October 2, 2005, repeal thereof scheduled under the Open Government Sunset Review Act; making editorial changes; providing an effective date.

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

Section 1. Section 411.011, Florida Statutes, as amended by chapter 2004-484, Laws of Florida, is amended to read:

411.011 Records of children in school readiness programs.-- (1) The individual records of children enrolled in school readiness programs provided under s. 411.01, ~~when held by an in the possession of the~~ early learning coalition or the Agency for Workforce Innovation, are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this section, records include assessment data, health data, records of teacher observations, and personal identifying information ~~data, including the child's social security number.~~

(2) A parent, guardian, or individual acting as a parent in the absence of a parent or guardian has the right to inspect and review the individual school readiness program record of his or her child and to obtain a copy of the record.

(3) School readiness records may be released to:

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29 (a) The United States Secretary of Education, the United
 30 States Secretary of Health and Human Services, and the
 31 Comptroller General of the United States for the purpose of
 32 federal audits.†

33 (b) ~~to~~ Individuals or organizations conducting studies for
 34 institutions to develop, validate, or administer assessments or
 35 improve instruction.†

36 (c) ~~to~~ Accrediting organizations in order to carry out
 37 their accrediting functions.†

38 (d) ~~to~~ Appropriate parties in connection with an emergency
 39 if the information is necessary to protect the health or safety
 40 of the child enrollee ~~student~~ or other individuals.†

41 (e) ~~to~~ The Auditor General in connection with his or her
 42 official functions.†

43 (f) ~~to~~ A court of competent jurisdiction in compliance
 44 with an order of that court in accordance with a lawfully issued
 45 subpoena.†~~and~~

46 (g) ~~to~~ Parties to an interagency agreement among early
 47 learning coalitions, local governmental agencies, providers of
 48 school readiness programs, state agencies, and the Agency for
 49 Workforce Innovation for the purpose of implementing the school
 50 readiness program.

51
 52 Agencies, organizations, or individuals that receive school
 53 readiness records in order to carry out their official functions
 54 must protect the data in a manner that does not permit the
 55 personal identification of a child enrolled in a school
 56 readiness program ~~students~~ and their parents by persons other

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57 than those authorized to receive the records. ~~This section is~~
58 ~~subject to the Open Government Sunset Review Act of 1995 in~~
59 ~~accordance with s. 119.15 and shall stand repealed on October 2,~~
60 ~~2005, unless reviewed and saved from repeal through reenactment~~
61 ~~by the Legislature.~~

62 Section 2. This act shall take effect October 1, 2005.