

Bill No. SB 1896

Barcode 470520

CHAMBER ACTION

Senate

House

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The Committee on Education (Lynn) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. State school choice scholarship programs; public records exemption--All records held by the independent private research organization under section 1002.423, Florida Statutes, relating to the academic level of students and private schools participating in the state school choice scholarship programs, including the Corporate Tax Credit Scholarship Program, as defined in section 220.187, Florida Statutes, or an educational scholarship program established under chapter 1002, Florida Statutes, are exempt from section 119.07(1), Florida Statutes, and section 24(a), Article I of the State Constitution. However, an independent private research organization may share records relating to the academic level of students and private schools with the Department of Education, which shall maintain the exemption.

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1 This section is subject to the Open Government Sunset Review
 2 Act of 1995 in accordance with section 119.15, Florida
 3 Statutes, and shall stand repealed on October 2, 2010, unless
 4 reviewed and saved from repeal through reenactment by the
 5 Legislature.

6 Section 2. The Legislature finds that it is a public
 7 necessity that records held by the independent private
 8 research organization relating to the academic level of
 9 students and private schools participating in the state
 10 school choice scholarship programs, including the Corporate
 11 Tax Credit Scholarship Program, as defined in section 220.187,
 12 Florida Statutes, or an educational scholarship program
 13 established under chapter 1002, Florida Statutes, be made
 14 exempt from public records requirements. The exemptions
 15 created by this act relating to records held by the
 16 independent private research organization relating to the
 17 academic level of students protects information of a sensitive
 18 personal nature concerning the students, the release of which
 19 would cause unwarranted damage to the good name of the
 20 students or would jeopardize the safety of the students. The
 21 exemption created by this act relating to records held by the
 22 independent private research organization relating to the
 23 academic level of private schools protects the private schools
 24 from injury in the marketplace because the private schools
 25 take disadvantaged students under the scholarship programs,
 26 these students typically underperform on student assessments,
 27 the schools have very few of these students in comparison to
 28 their total student population, the scholarship student
 29 underperformance would be exacerbated by a small statistical
 30 sample of students, the performance of these students may not
 31 reflect on the private school as a whole in comparison with

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1 its non-scholarship students, and the underperformance would
 2 place these schools on an unequal footing in the marketplace
 3 compared to private schools that do not take scholarship
 4 students, thereby causing the participating private schools to
 5 not participate in the educational scholarship programs. The
 6 sharing of the records relating to the academic level of
 7 students and private schools with the Department of Education
 8 would allow the department to effectively administer the
 9 educational scholarship programs.

10 Section 3. This act shall take effect on the same date
 11 that SB 2480 or similar legislation takes effect, if such
 12 legislation is adopted in the same legislative session or an
 13 extension thereof and becomes law.

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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 Delete everything before the enacting clause

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20 and insert:

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 A bill to be entitled

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 An act relating to public records exemptions

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 for records held by an independent private

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 research organization under s. 1002.423, F.S.;

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 creating an exemption from public records

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 requirements for records relating to the

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 academic level of students and private schools

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 participating in certain educational

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 scholarship programs; providing for sharing of

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 information under certain limitations;

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 providing for future review and repeal;

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1 providing a statement of public necessity;
2 providing a contingent effective date.
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