

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Gardiner offered the following:

2
3 **Amendment to Amendment (171333) (with title amendment)**

4 Remove line 808 and insert:

5 Section 15. Subsections (1), (2), and (3), paragraph (a)
6 of subsection (4), paragraph (d) of subsection (8), and
7 paragraphs (a), (c), and (d) of subsection (10) of section
8 1002.39, Florida Statutes, are amended, subsections (11), (12),
9 and (13) are renumbered as subsections (13), (14), and (15),
10 respectively, and new subsections (11) and (12) are added to
11 that section, to read:

12 1002.39 The John M. McKay Scholarships for Students with
13 Disabilities Program.--There is established a program that is
14 separate and distinct from the Opportunity Scholarship Program
15 and is named the John M. McKay Scholarships for Students with
16 Disabilities Program.

326059

4/29/2008 6:59 AM

Amendment No.

17 (1) THE JOHN M. MCKAY SCHOLARSHIPS FOR STUDENTS WITH
18 DISABILITIES PROGRAM.--The John M. McKay Scholarships for
19 Students with Disabilities Program is established to provide the
20 option to attend a public school other than the one to which
21 assigned, or to provide a scholarship to a private school of
22 choice, for students with disabilities for whom an individual
23 educational education plan has been written in accordance with
24 rules of the State Board of Education. Students with
25 disabilities include K-12 students who are documented as having
26 an intellectual disability a mental handicap, including
27 trainable, profound, or educable; a speech impairment; a or
28 language impairment; a hearing impairment, including deafness; a
29 visual impairment, including blindness; a dual sensory
30 impairment; an orthopedic a physical impairment or other health
31 impairment; a serious emotional disturbance, including an
32 emotional or behavioral disability handicap; a specific learning
33 disability, including, but not limited to, dyslexia,
34 dyscalculia, or developmental aphasia; a traumatic brain injury;
35 a developmental delay; or autism spectrum disorder.

36 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.--The parent of
37 a ~~public school~~ student with a disability ~~who is dissatisfied~~
38 ~~with the student's progress~~ may request and receive from the
39 state a John M. McKay Scholarship for the child to enroll in and
40 attend a private school in accordance with this section if:

41 (a) The student has either:

42 1. Received early intervention services under the
43 Voluntary Prekindergarten Education Program pursuant to s.
44 1002.66 during the previous school year; or

326059

4/29/2008 6:59 AM

Amendment No.

45 2. Spent the prior school year in attendance at a Florida
46 public school or the Florida School for the Deaf and the Blind.
47 For purposes of this subparagraph, prior school year in
48 attendance means that the student was~~+~~

49 ~~1.~~ enrolled and reported by:

50 a. A school district for funding during the preceding
51 October and February Florida Education Finance Program surveys
52 in kindergarten through grade 12, which shall include time spent
53 in a Department of Juvenile Justice commitment program if funded
54 under the Florida Education Finance Program;

55 ~~b.2.~~ ~~Enrolled and reported by~~ The Florida School for the
56 Deaf and the Blind during the preceding October and February
57 student membership surveys in kindergarten through grade 12; or

58 ~~c.3.~~ ~~Enrolled and reported by~~ A school district for
59 funding during the preceding October and February Florida
60 Education Finance Program surveys, was at least 4 years old when
61 so enrolled and reported, and was eligible for services under s.
62 1003.21(1)(e).

63
64 However, a dependent child of a member of the United States
65 Armed Forces who transfers to a school in this state from out of
66 state or from a foreign country pursuant to a parent's permanent
67 change of station orders is exempt from this paragraph but must
68 meet all other eligibility requirements to participate in the
69 program.

70 (b) The parent has obtained acceptance for admission of
71 the student to a private school that is eligible for the program
72 under subsection (8) and has requested from the department a
326059

4/29/2008 6:59 AM

Amendment No.

73 scholarship at least 60 days prior to the date of the first
74 scholarship payment. The request must be through a communication
75 directly to the department in a manner that creates a written or
76 electronic record of the request and the date of receipt of the
77 request. The Department of Education must notify the district of
78 the parent's intent upon receipt of the parent's request.

79 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.--A student is
80 not eligible for a John M. McKay Scholarship while he or she is:

81 (a) Enrolled in a school operating for the purpose of
82 providing educational services to youth in Department of
83 Juvenile Justice commitment programs;

84 (b) Receiving a corporate income tax credit scholarship
85 under s. 220.187;

86 (c) Receiving an educational scholarship pursuant to this
87 chapter;

88 (d) Participating in a home education program as defined
89 in s. 1002.01(1);

90 (e) Participating in a private tutoring program pursuant
91 to s. 1002.43;

92 (f) Participating in a virtual school, correspondence
93 school, or distance learning program that receives state funding
94 pursuant to the student's participation unless the participation
95 is limited to no more than two courses per school year;

96 (g) Enrolled in the Florida School for the Deaf and the
97 Blind; or

98 (h) Not having regular and direct contact with his or her
99 private school teachers at the school's physical location,
100 except as provided in subsection (11).

326059

4/29/2008 6:59 AM

Amendment No.

101 (4) TERM OF JOHN M. MCKAY SCHOLARSHIP.--

102 (a) For purposes of continuity of educational choice, a
103 John M. McKay Scholarship shall remain in force until the
104 student enrolls in ~~returns to~~ a public school, graduates from
105 high school, or reaches the age of 22, whichever occurs first.

106 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.--To be
107 eligible to participate in the John M. McKay Scholarships for
108 Students with Disabilities Program, a private school may be
109 sectarian or nonsectarian and must:

110 (d) Maintain in this state a physical location where a
111 scholarship student regularly attends classes or where it
112 provides case management services under subsection (11).

113
114 The inability of a private school to meet the requirements of
115 this subsection shall constitute a basis for the ineligibility
116 of the private school to participate in the scholarship program
117 as determined by the department.

118 (10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.--

119 (a)1. The maximum scholarship granted for an eligible
120 student with disabilities shall be a calculated amount
121 equivalent to the base student allocation in the Florida
122 Education Finance Program multiplied by the appropriate cost
123 factor for the educational program that would have been provided
124 for the student in the district school to which he or she was
125 assigned, multiplied by the district cost differential.

126 2. In addition, a share of the guaranteed allocation for
127 exceptional students shall be determined and added to the
128 calculated amount. The calculation shall be based on the

326059

4/29/2008 6:59 AM

Amendment No.

129 methodology and the data used to calculate the guaranteed
130 allocation for exceptional students for each district in chapter
131 2000-166, Laws of Florida. Except as provided in subparagraphs
132 3. and 4., the calculation shall be based on the student's
133 grade, matrix level of services, and the difference between the
134 2000-2001 basic program and the appropriate level of services
135 cost factor, multiplied by the 2000-2001 base student allocation
136 and the 2000-2001 district cost differential for the sending
137 district. Also, the calculated amount shall include the per-
138 student share of supplemental academic instruction funds,
139 instructional materials funds, technology funds, and other
140 categorical funds as provided for such purposes in the General
141 Appropriations Act.

142 3. The calculated scholarship amount for a student who is
143 eligible under sub-subparagraph (2)(a)2.b. ~~subparagraph (2)(a)2.~~
144 shall be calculated as provided in subparagraphs 1. and 2.
145 However, the calculation shall be based on the school district
146 in which the parent resides at the time of the scholarship
147 request.

148 4. Until the school district completes the matrix required
149 by paragraph (5)(b), the calculation shall be based on the
150 matrix that assigns the student to support level I of service as
151 it existed prior to the 2000-2001 school year. When the school
152 district completes the matrix, the amount of the payment shall
153 be adjusted as needed.

154 (c)1. The school district shall report all students who
155 are attending a private school under this program. The students
156 with disabilities attending private schools on John M. McKay

326059

4/29/2008 6:59 AM

Amendment No.

157 Scholarships shall be reported separately from other students
158 reported for purposes of the Florida Education Finance Program.

159 2. For program participants who are eligible under sub-
160 subparagraph (2) (a) 2.b. subparagraph (2) (a) 2., the school
161 district that is used as the basis for the calculation of the
162 scholarship amount as provided in subparagraph (a) 3. shall:

163 a. Report to the department all such students who are
164 attending a private school under this program.

165 b. Be held harmless for such students from the weighted
166 enrollment ceiling for group 2 programs in s. 1011.62(1)(d) 3.a.
167 during the first school year in which the students are reported.

168 (d) Following notification on July 1, September 1,
169 December 1, or February 1 of the number of program participants,
170 the department shall transfer, from General Revenue funds only,
171 the amount calculated under paragraph (b) from the school
172 district's total funding entitlement under the Florida Education
173 Finance Program and from authorized categorical accounts to a
174 separate account for the scholarship program for quarterly
175 disbursement to the parents of participating students. Funds may
176 not be transferred from any funding provided to the Florida
177 School for the Deaf and the Blind for program participants who
178 are eligible under sub-subparagraph (2) (a) 2.b. subparagraph
179 (2) (a) 2. For a student exiting a Department of Juvenile Justice
180 commitment program who chooses to participate in the scholarship
181 program, the amount of the John M. McKay Scholarship calculated
182 pursuant to paragraph (b) shall be transferred from the school
183 district in which the student last attended a public school
184 prior to commitment to the Department of Juvenile Justice. When

326059

4/29/2008 6:59 AM

Amendment No.

185 a student enters the scholarship program, the department must
186 receive all documentation required for the student's
187 participation, including the private school's and student's fee
188 schedules, at least 30 days before the first quarterly
189 scholarship payment is made for the student.

190 (11) ALTERNATIVE SITES FOR INSTRUCTION AND SERVICES.--A
191 student eligible for a scholarship under this section may
192 receive regular and direct instruction and services from a
193 private school at a site other than the school's physical
194 location if the following criteria are met:

195 (a) The student's parent provides a notarized statement
196 from the medical doctor or psychologist treating the student's
197 disability which certifies that the student's welfare or the
198 welfare of other students in the classroom will be jeopardized
199 if the student is required to regularly attend class at the
200 school's physical location. Such notarized statement must be:

201 1. Annually provided to the department at least 60 days
202 prior to the date of the first scholarship payment for each
203 school year.

204 2. Based on an annual review of the student's disability
205 by the student's medical doctor or psychologist.

206 (b) The private school serving the student:

207 1. Employs or contracts with a case manager who
208 coordinates and monitors the student's instruction and services,
209 reviews and maintains the documentation submitted under
210 subparagraph 2., and provides the student's parent and private
211 school with monthly reports on the student's progress.

326059

4/29/2008 6:59 AM

Amendment No.

212 2. Requires private school employees or contracted
213 personnel who provide regular and direct instruction or services
214 to a student at a site other than the private school's physical
215 location to submit to the case manager documentation of the
216 instruction, services, and progress of the student.

217 3. Notifies the department of each student subject to this
218 subsection.

219 (12) RETROACTIVE SCHOLARSHIP ELIGIBILITY.--A student who
220 received a scholarship under this section in the 2005-2006
221 school year, but who was unable to receive a scholarship in the
222 2006-2007 school year due to the regular and direct contact
223 requirement in paragraph (3)(h), is eligible for a scholarship
224 in the 2008-2009 school year if the student:

225 (a) Demonstrates that he or she would have met the
226 criteria of paragraph (11)(a) at the time of his or her 2006-
227 2007 scholarship.

228 (b) Satisfies the requirements for a scholarship under
229 this section other than the prior school year attendance
230 requirement in paragraph (2)(a).

231 Section 16. Subsections (2) through (5) of section
232 1002.51, Florida Statutes, are renumbered as subsections (3)
233 through (6), respectively, and a new subsection (2) is added to
234 that section to read:

235 1002.51 Definitions.--As used in this part, the term:

236 (2) "Early intervention service provider" means a provider
237 delivering early intervention services under s. 1002.66.

238 Section 17. Subsections (1) and (3) of section 1002.53,
239 Florida Statutes, are amended to read:

326059

4/29/2008 6:59 AM

Amendment No.

240 1002.53 Voluntary Prekindergarten Education Program;
241 eligibility and enrollment.--

242 (1) There is created the Voluntary Prekindergarten
243 Education Program, which. ~~The program shall take effect in each~~
244 ~~county at the beginning of the 2005-2006 school year and shall~~
245 be organized, designed, and delivered in accordance with s. 1(b)
246 and (c), Art. IX of the State Constitution.

247 (3) The parent of each child eligible under subsection (2)
248 may enroll the child in one of the following programs:

249 (a) A school-year prekindergarten program delivered by a
250 private prekindergarten provider under s. 1002.55;

251 (b) A summer prekindergarten program delivered by a public
252 school or private prekindergarten provider under s. 1002.61; ~~or~~

253 (c) A school-year prekindergarten program delivered by a
254 public school, if offered by a school district that is eligible
255 under s. 1002.63; or

256 (d) Beginning with the 2010-2011 school year, a
257 prekindergarten program of early intervention services, if the
258 child is eligible for the program under s. 1002.66.

259
260 Except as provided in s. 1002.71(4), a child may not enroll in
261 more than one of these programs.

262 Section 18. Section 1002.66, Florida Statutes, is created
263 to read:

264 1002.66 Prekindergarten program of early intervention
265 services.--

266 (1) Beginning with the 2010-2011 school year, a child who
267 enrolls with the early learning coalition under s. 1002.53(3)(d)

326059

4/29/2008 6:59 AM

Amendment No.

268 is eligible for a prekindergarten program of early intervention
269 services if:

270 (a) The child is eligible for the Voluntary
271 Prekindergarten Education Program under s. 1002.53(2); and

272 (b) A current individual educational plan has been
273 developed for the child in accordance with State Board of
274 Education rule and the plan indicates the child's need for
275 multiple and intensive services, delivered weekly or daily, to
276 address the child's development of the following skills:

277 1. Social skills, including replacement of problematic
278 behaviors with more conventional and appropriate behaviors;

279 2. Communication skills, including the development of a
280 functional communication system;

281 3. Fine and gross motor skills;

282 4. Cognitive skills, including basic concepts and
283 developmentally appropriate pre-academic skills; and

284 5. Independent organizational skills and other behaviors
285 necessary for future success in the typical educational
286 environment.

287
288 If a child's individual educational plan indicates that the
289 child meets the eligibility requirements for a prekindergarten
290 program of early intervention services under this paragraph, the
291 school district shall record the child's eligibility on a form,
292 or otherwise in the format, developed by the Department of
293 Education in consultation with the Agency for Workforce
294 Innovation.

326059

4/29/2008 6:59 AM

Amendment No.

295 (2) The parent of a child who is eligible for a
296 prekindergarten program under this section may select one or
297 more early intervention services that the child's individual
298 educational plan indicates is appropriate for the child. These
299 early intervention services may include, but are not limited to:

300 (a) Applied behavior analysis.

301 (b) Speech-language pathology.

302 (c) Occupational therapy.

303 (d) Physical therapy.

304 (3) The early intervention services provided for a child
305 under this section must be delivered according to professionally
306 accepted standards and must, in accordance with the performance
307 standards adopted by the department under s. 1002.67, address
308 the age-appropriate progress of the child in the development of
309 the capabilities, capacities, and skills required under s. 1(b),
310 Art. IX of the State Constitution.

311 (4) Each Center for Autism and Related Disabilities
312 established under s. 1004.55 shall, within the center's region,
313 approve early intervention service providers whose services meet
314 the standards in subsection (3), maintain a list of approved
315 providers, and notify each school district and early learning
316 coalition in the center's region of the approved provider list.
317 Upon the request of a child's parent, a Center for Autism and
318 Related Disabilities may approve an early intervention service
319 provider that is not on the approved list if the provider's
320 services meet the standards in subsection (3) and the child's
321 individual educational plan indicates that the services are
322 appropriate for the child.

326059

4/29/2008 6:59 AM

Amendment No.

323 (5) From the funds allocated to the early learning
324 coalition for the Voluntary Prekindergarten Education Program,
325 the coalition shall reimburse an approved early intervention
326 service provider for authorized services provided for an
327 eligible child, except that the cumulative total of services
328 reimbursed for a child may not exceed the amount of the base
329 student allocation provided for the Voluntary Prekindergarten
330 Education Program in the General Appropriations Act.

331 Section 19. Paragraph (a) of subsection (4) of section
332 1002.71, Florida Statutes, is amended to read:

333 1002.71 Funding; financial and attendance reporting.--

334 (4) Notwithstanding s. 1002.53(3) and subsection (2):

335 (a) A child who, for any of the prekindergarten programs
336 listed in s. 1002.53(3), has not completed more than 10 percent
337 of the hours authorized to be reported for funding under
338 subsection (2), or has not expended more than 10 percent of the
339 funds authorized for the child under s. 1002.66, may withdraw
340 from the program for good cause, reenroll in one of the
341 programs, and be reported for funding purposes as a full-time
342 equivalent student in the program for which the child is
343 reenrolled.

344
345 A child may reenroll only once in a prekindergarten program
346 under this section. A child who reenrolls in a prekindergarten
347 program under this subsection may not subsequently withdraw from
348 the program and reenroll. The Agency for Workforce Innovation
349 shall establish criteria specifying whether a good cause exists
350 for a child to withdraw from a program under paragraph (a),

326059

4/29/2008 6:59 AM

Amendment No.

351 whether a child has substantially completed a program under
352 paragraph (b), and whether an extreme hardship exists which is
353 beyond the child's or parent's control under paragraph (b).

354 Section 20. Paragraph (d) of subsection (2) of section
355 1002.73, Florida Statutes, is redesignated as paragraph (e) and
356 a new paragraph (d) is added to that subsection to read:

357 1002.73 Department of Education; powers and duties;
358 accountability requirements.--

359 (2) The department shall adopt procedures for the
360 department's:

361 (d) Development, in consultation with the Agency for
362 Workforce Innovation, of the form or format for recording a
363 child's eligibility for early intervention services under s.
364 1002.66(1)(b).

365 Section 21. Paragraphs (a) and (f) of subsection (2) of
366 section 1002.75, Florida Statutes, are amended to read:

367 1002.75 Agency for Workforce Innovation; powers and
368 duties; operational requirements.--

369 (2) The Agency for Workforce Innovation shall adopt
370 procedures governing the administration of the Voluntary
371 Prekindergarten Education Program by the early learning
372 coalitions and school districts for:

373 (a) Enrolling children in and determining the eligibility
374 of children for the Voluntary Prekindergarten Education Program
375 under ss. 1002.53 and 1002.66 ~~s. 1002.53~~.

376 (f) Paying private prekindergarten providers, and public
377 schools, and early intervention service providers under ss.
378 1002.66 and 1002.71 ~~s. 1002.71~~.

326059

4/29/2008 6:59 AM

Amendment No.

379 Section 22. Effective upon this act becoming a law,
380 section 1004.55, Florida Statutes, is amended to read:

381 1004.55 ~~Regional autism~~ Centers for Autism and Related
382 Disabilities.--

383 (1) Seven ~~regional autism~~ Centers for Autism and Related
384 Disabilities are established to provide nonresidential resource
385 and training services for:

386 (a) Children younger than 5 years of age who have:

387 1. An autism spectrum disorder; a genetic or metabolic
388 disorder; a neurological disorder; a severe attachment disorder;
389 a hearing impairment, including deafness; a visual impairment,
390 including blindness; or dual sensory impairment; or

391 2. A developmental delay in cognition; physical or motor
392 development, including hearing or vision; communication; social
393 or emotional development; or adaptive development.

394 (b) Persons 5 years of age or older who have an autism
395 spectrum disorder or a severe communication disorder ~~persons of~~
396 ~~all ages and of all levels of intellectual functioning who have~~
397 ~~autism, as defined in s. 393.063; who have a pervasive~~
398 ~~developmental disorder that is not otherwise specified; who have~~
399 ~~an autistic-like disability; who have a dual sensory impairment;~~
400 ~~or who have a sensory impairment with other handicapping~~
401 ~~conditions.~~

402 (2) Each center shall be operationally and fiscally
403 independent and shall provide services within its geographical
404 region of the state. Service delivery shall be consistent for
405 all centers. Each center shall coordinate services within and
406 between state and local agencies and school districts but may

326059

4/29/2008 6:59 AM

Amendment No.

407 not duplicate services provided by those agencies or school
408 districts. The respective locations and service areas of the
409 centers are:

410 (a) The Department of Communication Disorders at Florida
411 State University, which serves Bay, Calhoun, Escambia, Franklin,
412 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
413 Madison, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and
414 Washington Counties.

415 (b) The College of Medicine at the University of Florida,
416 which serves Alachua, Bradford, Citrus, Columbia, Dixie,
417 Gilchrist, Hamilton, Hernando, Lafayette, Levy, Marion, Putnam,
418 Suwannee, and Union Counties.

419 (c) The University of Florida Health Science Center at
420 Jacksonville, which serves Baker, Clay, Duval, Flagler, Nassau,
421 and St. Johns Counties.

422 (d) The Louis de la Parte Florida Mental Health Institute
423 at the University of South Florida, which serves Charlotte,
424 Collier, DeSoto, Glades, Hardee, Hendry, Highlands,
425 Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, and Sarasota
426 Counties.

427 (e) The Mailman Center for Child Development and the
428 Department of Psychology at the University of Miami, which
429 serves Broward, Dade, and Monroe Counties.

430 (f) The College of Health and Public Affairs at the
431 University of Central Florida, which serves Brevard, Lake,
432 Orange, Osceola, Seminole, Sumter, and Volusia Counties.

326059

4/29/2008 6:59 AM

Amendment No.

433 (g) The Department of Exceptional Student Education at
434 Florida Atlantic University, which serves Palm Beach, Martin,
435 St. Lucie, Okeechobee, and Indian River Counties.

436 ~~(3)(2)~~ There is established for each center a constituency
437 board, which shall work collaboratively with the center. Each
438 board shall consist of no fewer than six members, each of whom
439 is either an individual who has an autism spectrum disorder or
440 another a disability that is described in subsection (1) or is a
441 member of a family that includes a person who has such a
442 disability, who are selected by each university president from a
443 list that has been developed by the Autism Society of Florida
444 and other relevant constituency groups that represent persons
445 who have an autism spectrum disorder or another disability
446 ~~sensory impairments as~~ described in subsection (1). As
447 representatives of the center's constituencies, these boards
448 shall meet quarterly with the staff of each of the centers to
449 provide advice on policies, priorities, and activities. Each
450 board shall submit to the university president and to the
451 Department of Education an annual report that evaluates the
452 activities and accomplishments of its center during the year.
453 The board for each center should raise funds equivalent to 2
454 percent of the total funds allocated to that center in each
455 fiscal year.

456 ~~(4)(3)~~ To promote statewide planning and coordination, a
457 conference must be held annually for staff from each of the
458 seven centers and representatives from each center's
459 constituency board. The purpose of the conference is to
460 facilitate coordination, networking, cross-training, and

326059

4/29/2008 6:59 AM

Amendment No.

461 feedback among the staffs and constituency boards of the
462 centers.

463 (5)-(4)(a) Each center shall provide:

464 1. A staff that has expertise in autism spectrum disorder
465 and the other disabilities described in subsection (1) ~~autistic-~~
466 ~~like behaviors and in sensory impairments.~~

467 2. Individual and direct family assistance in the home,
468 community, and school. A center's assistance should not supplant
469 other responsibilities of state and local agencies, and each
470 school district is responsible for providing an appropriate
471 education program for clients of a center who are school age.

472 3. Technical assistance and consultation services,
473 including specific intervention and assistance for a client of
474 the center, the client's family, and the school district, and
475 any other services that are appropriate.

476 4. Professional training programs that include developing,
477 providing, and evaluating preservice and inservice training in
478 state-of-the-art practices for personnel who work with the
479 populations served by the centers and their families.

480 5. Public education programs to increase awareness of the
481 public about autism spectrum disorder and the other disabilities
482 described in subsection (1), ~~autistic-related disabilities of~~
483 ~~communication and behavior, dual sensory impairments, and~~
484 ~~sensory impairments with other handicapping conditions.~~

485 6. Coordination of regional learning gateways established
486 in accordance with s. 1006.80.

326059

4/29/2008 6:59 AM

Amendment No.

487 7. Approval of early intervention service providers for
488 prekindergarten programs for children with disabilities in
489 accordance with s. 1002.66.

490 (b) Effective October 1, 2008, a center that is not
491 designated a medical model for the treatment of autism spectrum
492 disorder under s. 1006.82 may not provide direct medical
493 intervention or pharmaceutical intervention is prohibited in any
494 center on or after July 1, 2008.

495 ~~(6)(5)~~ The State Board of Education, in cooperation with
496 the ~~regional autism~~ Centers for Autism and Related Disabilities,
497 shall adopt the necessary rules to carry out the purposes of
498 this section.

499 Section 23. Effective upon this act becoming a law,
500 subsection (1), paragraph (b) of subsection (2), and subsections
501 (3) and (4) of section 1006.03, Florida Statutes, are amended to
502 read:

503 1006.03 Florida Diagnostic and Learning Resources System;
504 regional resource centers.--

505 (1) The department shall maintain the Florida Diagnostic
506 and Learning Resources System, which shall be comprised of a
507 network of regional diagnostic and learning resources resource
508 centers for exceptional students. ~~The regional centers shall, to~~
509 assist in the provision of medical, physiological,
510 psychological, and educational testing and other services
511 designed to evaluate and diagnose exceptionalities, to make
512 referrals for necessary instruction and services, and to
513 facilitate the provision of instruction and services to
514 exceptional students. The department shall cooperate with the

326059

4/29/2008 6:59 AM

Amendment No.

515 Department of Children and Family Services and the Centers for
516 Autism and Related Disabilities in identifying service needs and
517 areas.

518 (2) Within its identified service area, each regional
519 center shall:

520 (b) Assist in the provision of services for exceptional
521 children, using to the maximum, but not supplanting, the
522 existing facilities and services of each school district.

523 (3) Regional diagnostic and learning resources ~~resource~~
524 centers may provide testing and evaluation services to private
525 school students and other children who are not enrolled in
526 public schools.

527 (4) Regional diagnostic and learning resources ~~resource~~
528 centers may assist districts in providing testing and evaluation
529 services for infants and preschool children with or at risk of
530 developing disabilities, and may assist districts in providing
531 interdisciplinary training and resources to parents of infants
532 and preschool children with or at risk of developing
533 disabilities and to early learning ~~school-readiness~~ programs.

534 Section 24. Effective upon this act becoming a law, part
535 III of chapter 1006, Florida Statutes, shall be entitled
536 "Learning Gateway" and shall consist of sections 1006.80 and
537 1006.82, Florida Statutes.

538 Section 25. Effective upon this act becoming a law,
539 section 1006.80, Florida Statutes, is created to read:

540 1006.80 Regional learning gateways.--The Centers for
541 Autism and Related Disabilities established under s. 1004.55, in
542 collaboration with the Department of Education and the Florida

326059

4/29/2008 6:59 AM

Amendment No.

543 Diagnostic and Learning Resources System, shall establish a
544 statewide system of learning gateways. The system must include
545 the establishment of a learning gateway in the geographic region
546 of each center. Each region's leaning gateway shall:

547 (1) Establish a single point of access for referral to the
548 appropriate agencies for the screening and assessment of
549 children younger than 5 years of age for disabilities,
550 conducting diagnostic evaluations for children with suspected
551 disabilities, and referring children with disabilities for early
552 intervention services and early learning programs.

553 (2) Designate a central telephone number in the center's
554 region, and an Internet website, for parents, practitioners, and
555 providers to obtain information about services available through
556 the learning gateway, screenings, assessments, diagnostic
557 evaluations, early intervention services, and early learning
558 programs for children with disabilities.

559 (3) Provide followup contact for families whose children
560 are determined ineligible for services under Part B or Part C of
561 the federal Individuals with Disabilities Education Act.

562 (4) Provide interagency coordination in the center's
563 region among the regional offices of state agencies, including
564 offices of the Division of Children's Medical Services Network
565 of the Department of Health; regional diagnostic and learning
566 resources centers; diagnostic and learning resources centers at
567 state universities; school districts; early learning coalitions;
568 county and municipal agencies; community agencies and
569 organizations; and public and private providers of early
570 intervention services and early learning programs, in order to

326059

4/29/2008 6:59 AM

Amendment No.

571 develop and implement strategies to reduce a child's waiting
572 time for services, reduce interagency duplication, and reduce
573 interagency differences in eligibility criteria for services and
574 programs which cause cross-agency screenings, assessments, and
575 diagnostic evaluations.

576 (5) Facilitate the integration of services, linkages among
577 providers, and the array of services required to address the
578 needs of children and families.

579 (6) Improve community awareness and education for parents
580 and practitioners about the developmental milestones, and the
581 warning signs or precursors of disabilities, exhibited by
582 children younger than 5 years of age.

583 (7) Provide training and technical assistance for parents,
584 practitioners, and providers.

585 Section 26. Effective upon this act becoming a law,
586 section 1006.82, Florida Statutes, is created to read:

587 1006.82 State Learning Gateway Council.--

588 (1) There is created the State Learning Gateway Council,
589 which is assigned to the Department of Education for
590 administrative purposes. The council is composed of the
591 following agency heads, and officers of the following
592 organizations, or their permanent designees:

593 (a) Secretary of Children and Family Services.

594 (b) Director of the Agency for Persons with Disabilities.

595 (c) Director of Workforce Innovation.

596 (d) State Surgeon General.

597 (e) Secretary of Health Care Administration.

598 (f) Commissioner of Education.

326059

4/29/2008 6:59 AM

Amendment No.

599 (g) The director of a regional diagnostic and learning
600 resources center appointed by the Commissioner of Education.

601 (h) The director of a diagnostic and learning resources
602 center at a state university, selected from among the directors
603 of the university centers.

604 (i) Chair of the Florida Early Learning Advisory Council.

605 (j) President of the Autism Society of Florida.

606 (k) President of the Florida Association for Behavioral
607 Analysis.

608 (l) President of the Florida Pediatric Society.

609 (m) President of the Florida Psychological Association.

610 (2) The council shall select a chair from among its
611 members. An executive director of a Center for Autism and
612 Related Disabilities, selected from among the executive
613 directors of the centers, shall serve as the council's executive
614 director.

615 (3) (a) The council shall coordinate the statewide
616 implementation of regional learning gateways and shall advise
617 the Legislature, the Governor, and the agencies represented by
618 the council's members on the system of regional learning
619 gateways.

620 (b) Each Center for Autism and Related Disabilities shall
621 submit an implementation plan to the council for the region's
622 learning gateway by January 15, 2009. The plan must include the
623 center's proposed expenditures for implementation of the
624 regional learning gateway.

625 (c) The council may designate a Center for Autism and
626 Related Disabilities on the main campus, or at any branch campus

326059

4/29/2008 6:59 AM

Amendment No.

627 or center, of the University of Florida, as a medical model for
628 the treatment of autism spectrum disorder, if the center
629 demonstrates a unique community need for such treatment in the
630 center's region. A center designated as a medical model shall,
631 by October 1 of each year, submit an annual report to the
632 council. Each annual report must summarize the center's
633 activities related to the treatment of autism spectrum disorder,
634 including the center's expenditures for those services, for the
635 prior state fiscal year.

636 (4) (a) The agencies represented by the council's
637 membership shall enter into an interagency agreement to provide
638 staffing and administrative support for the council.

639 (b) Members of the council shall serve without
640 compensation but are entitled to per diem and travel expenses
641 for required attendance at council meetings in accordance with
642 the provisions of s. 112.061. Each council member is subject to
643 the Code of Ethics for Public Officers and Employees under part
644 III of chapter 112.

645 (5) (a) The council may use any method of
646 telecommunications to conduct meetings, including establishing a
647 quorum through telecommunications, if the public is given proper
648 notice of a telecommunications meeting and reasonable access to
649 observe and, when appropriate, participate.

650 (b) The council appointments shall be made, and the
651 council shall conduct its initial meeting, within 45 days after
652 the effective date of this section.

Amendment No.

653 Section 27. Effective upon this act becoming a law,
654 sections 411.226, 411.227, and 411.228, Florida Statutes, are
655 repealed.

656 Section 28. Except as otherwise expressly provided in this
657 act, this act shall take effect July 1, 2008.

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661 **T I T L E A M E N D M E N T**

662 Remove line 929 and insert:

663 disabilities compact; amending s. 1002.39, F.S., relating to the
664 John M. McKay Scholarships for Students with Disabilities
665 Program; revising the terminology used to identify students with
666 certain disabilities; authorizing students who receive certain
667 services under the Voluntary Prekindergarten Education Program
668 to receive a John M. McKay Scholarship; conforming cross-
669 references; permitting students to receive scholarship services
670 at locations other than the private school's site under
671 specified conditions; providing retroactive eligibility for
672 scholarships under certain circumstances; amending s. 1002.51,
673 F.S.; revising definitions for the Voluntary Prekindergarten
674 Education Program; amending s. 1002.53 and creating s. 1002.66,
675 F.S.; establishing a prekindergarten program option for early
676 intervention services; providing eligibility criteria for early
677 intervention services; requiring the Department of Education to
678 develop forms; providing for the approval of early intervention
679 service providers; authorizing the expenditure of funds for
680 early intervention services; amending s. 1002.71, F.S.;

326059

4/29/2008 6:59 AM

HOUSE AMENDMENT

Bill No. CS/CS/CS/SB 2654

Amendment No.

681 authorizing a child participating in a prekindergarten program
682 for children with disabilities to reenroll in another program
683 option under certain conditions; amending ss. 1002.73 and
684 1002.75, F.S.; revising the powers and duties of the Department
685 of Education and Agency for Workforce Innovation for
686 prekindergarten programs; amending s. 1004.55, F.S.;
687 redesignating regional autism centers as Centers for Autism and
688 Related Disabilities; revising terminology and duties of the
689 regional autism centers; revising date that regional autism
690 centers are prohibited from providing direct medical
691 intervention or pharmaceutical intervention and providing an
692 exception for a center designated a medical model by the State
693 Learning Gateway Council; amending s. 1006.03, F.S.; requiring
694 the Department of Education to maintain the Florida Diagnostic
695 and Learning Resources System; revising duties of regional
696 diagnostic and learning resources centers; creating part III of
697 chapter 1006, F.S., relating to the Learning Gateway; creating
698 s. 1006.80, F.S.; requiring Centers for Autism and Related
699 Disabilities to establish a statewide system of learning
700 gateways; specifying functions of learning gateways; creating s.
701 1006.82, F.S.; establishing the State Learning Gateway Council;
702 assigning the council to the Department of Education for
703 administrative purposes; specifying the membership of the
704 council; providing for selection of the council's chair and
705 executive director; prescribing the council's duties; requiring
706 the Centers for Autism and Related Disabilities to submit an
707 implementation plan by a specified date; authorizing the council
708 to designate a center at the University of Florida as a medical

326059

4/29/2008 6:59 AM

HOUSE AMENDMENT

Bill No. CS/CS/CS/SB 2654

Amendment No.

709 | model under certain circumstances; requiring a center designated
710 | as a medical model to submit an annual report; repealing ss.
711 | 411.226, 411.227, and 411.228, F.S., relating to the Learning
712 | Gateway, components of the Learning Gateway, and accountability;
713 | providing effective dates.

326059

4/29/2008 6:59 AM