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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2010	.	
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The Committee on Education Pre-K - 12 (Wise) recommended the following:

Senate Amendment (with title amendment)

Between lines 33 and 34
insert:

Section 2. Subsection (2) of section 1002.221, Florida Statutes, is amended to read:

1002.221 K-12 education records.—

(2) (a) An agency, as defined in s. 1002.22(1)(a), or a public school, center, institution, or other entity that is part of Florida's education system under s. 1000.04(1), (3), or (4), may not release a student's education records without the written consent of the student or parent to any individual,



399550

13 agency, or organization, except in accordance with and as
14 permitted by the FERPA. Education records released by an agency,
15 as defined in s. 1002.22(1)(a), or by a public school, center,
16 institution, or other entity that is part of Florida's education
17 system under s. 1000.04(1), (3), or (4), to the Auditor General
18 or the Office of Program Policy Analysis and Government
19 Accountability, which are necessary for such agencies to perform
20 their official duties and responsibilities, shall be used and
21 maintained by the Auditor General and the Office of Program
22 Policy Analysis and Government Accountability in accordance with
23 the FERPA.

24 (b) In accordance with FERPA and the federal regulations
25 issued pursuant to FERPA, an agency, as defined in s. 1002.22,
26 or a public school, center, institution, or other entity that is
27 part of Florida's education system under s. 1000.04(1), (3), or
28 (4) may release a student's education records without written
29 consent of the student or parent to parties to an interagency
30 agreement among the Department of Juvenile Justice, the school,
31 law enforcement authorities, and other signatory agencies. The
32 purpose of such an agreement and information sharing is to
33 reduce juvenile crime, especially motor vehicle theft, by
34 promoting cooperation and collaboration and the sharing of
35 appropriate information in a joint effort to improve school
36 safety, to reduce truancy and in-school and out-of-school
37 suspensions, and to support alternatives to in-school and out-
38 of-school suspensions and expulsions, which provide structured
39 and well-supervised educational programs supplemented by a
40 coordinated overlay of other appropriate services designed to
41 correct behaviors that lead to truancy, suspensions, and



399550

42 expulsions and that support students in successfully completing
43 their education. Information provided in furtherance of the
44 interagency agreements is intended solely for use in determining
45 the appropriate programs and services for each juvenile or the
46 juvenile's family, or for coordinating the delivery of the
47 programs and services, and as such is inadmissible in any court
48 proceeding before a dispositional hearing unless written consent
49 is provided by a parent or other responsible adult on behalf of
50 the juvenile.

51
52 ===== T I T L E A M E N D M E N T =====

53 And the title is amended as follows:

54 Delete lines 2 - 8

55 and insert:

56 An act relating to the cooperation between schools and
57 juvenile authorities; amending s. 985.04, F.S.;
58 requiring that specified school personnel be notified
59 when a child of any age is formally charged by a state
60 attorney with a felony or a delinquent act that would
61 be a felony if committed by an adult and the
62 disposition of the charges; amending s. 1002.221,
63 F.S.; authorizing certain entities to release a
64 student's education records without consent of the
65 student or parent to parties to an interagency
66 agreement for specified purposes; providing that
67 without consent such information is inadmissible in a
68 court proceeding before a dispositional hearing;
69 providing an effective date.