

## House Bill No. 1861

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:

(a) The United States Secretary of Education, the United States Secretary of Health and Human Services, and the Comptroller General of the United States for the purpose of federal audits.;

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

(c) ~~to~~ Accrediting organizations in order to carry out their accrediting functions.;

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

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

(f) ~~to~~ A court of competent jurisdiction in compliance with an order of that court in accordance with a lawfully issued subpoena.;

(g) ~~to~~ Parties to an interagency agreement among early learning coalitions, local governmental agencies, providers of school readiness programs,

state agencies, and the Agency for Workforce Innovation for the purpose of implementing the school readiness program.

Agencies, organizations, or individuals that receive school readiness records in order to carry out their official functions must protect the data in a manner that does not permit the personal identification of a child enrolled in a school readiness program students and their parents by persons other than those authorized to receive the records. ~~This 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.

Approved by the Governor June 1, 2005.

Filed in Office Secretary of State June 1, 2005.