

IN THE CIRCUIT COURT OF
FLORIDA, NINTH JUDICIAL
CIRCUIT, ORANGE COUNTY

RE: Release of School Records
so that Intent and Meaning
of 232.19 can be carried out.

ADMINISTRATIVE ORDER

WHEREAS, Florida Statute 232.19(5) allows the school superintendent, an attendance assistant or a duly authorized agent of the Department of Education to begin prosecution proceedings for a parent who is in violation of Florida Statute 232.19(6)(a), "...refuses or fails to have a child who is under his control attend school regularly..."; and

WHEREAS, in order to initiate criminal prosecution, certain student records which relate to the child's failure to attend school regularly must be supplied to the Ninth Circuit State Attorney's Office; and

WHEREAS, pursuant to Florida Statute 228.093(3)(d), a student's records can only be released to the State Attorney's Office in compliance with an order of a court of competent jurisdiction or a lawfully issued subpoena;

NOW, THEREFORE, the following procedures, in accordance with the requests of the Orange County school system and the Ninth Circuit State Attorney's Office, shall be used regarding such cases:

When the Orange County school system has reason to believe that criminal prosecution may be warranted to initiate a criminal case pursuant to Florida Statute 232.19(6)(a), they may release the necessary portions of the child's student records to the Ninth Circuit State Attorney's Office after complying with the notice requirements of Florida Statute 228.093(3)(d)10.

DONE AND ORDERED at Orlando, Florida, this _____ day of _____, 1989.

Emerson R. Thompson, Jr.
Chief Judge

Copies to:
All Circuit & County Judges, Ninth Judicial Circuit
State Attorney's Office, Ninth Judicial Circuit
Public Defender's Office, Ninth Judicial Circuit
General Counselor, Orange County Sheriff's Office
Orange County Corrections
Orange County Bar Association
Bar Briefs, Orange County Bar Association