

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: PreK-12 Quality
2 Subcommittee

3 Representative Grall offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (e) of subsection (1) of section
8 1002.81, Florida Statutes, is amended to read:

9 1002.81 Definitions.—Consistent with the requirements of
10 45 C.F.R. parts 98 and 99 and as used in this part, the term:

11 (1) "At-risk child" means:

12 (e) A child in the custody of a parent who is considered a
13 victim of domestic violence and is receiving services through
14 ~~residing in~~ a certified domestic violence center.

15 Section 2. Paragraphs (n), (o), (p), (q), (r), (s), (t),
16 (u), (v), (w), and (x) of subsection (2) of section 1002.82,

Amendment No. 1

17 Florida Statutes, are redesignated as paragraphs (p), (q), (r),
18 (s), (t), (u), (v), (w), (x), (y), and (z), respectively,
19 paragraphs (n) and (o) are added to that subsection, and
20 paragraph (a) of subsection (5) is amended to read:

21 1002.82 Office of Early Learning; powers and duties.—

22 (2) The office shall:

23 (m) Adopt by rule a standard statewide provider contract
24 to be used with each school readiness program provider, with
25 standardized attachments by provider type. The office shall
26 publish a copy of the standard statewide provider contract on
27 its website. The standard statewide contract shall include, at a
28 minimum, contracted slots, if applicable, in accordance with the
29 Child Care and Development Block Grant Act of 2014, 45 C.F.R.
30 parts 98 and 99; quality improvement strategies, if applicable;
31 program assessment requirements; and provisions for provider
32 probation, termination for cause, and emergency termination for
33 those actions or inactions of a provider that pose an immediate
34 and serious danger to the health, safety, or welfare of the
35 children. The standard statewide provider contract shall also
36 include appropriate due process procedures. During the pendency
37 of an appeal of a termination, the provider may not continue to
38 offer its services. Any provision imposed upon a provider that
39 is inconsistent with, or prohibited by, law is void and
40 unenforceable. Provisions for termination for cause must include
41 failure to meet the minimum quality measures established under

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Amendment No. 1

42 paragraph (n) for a period of up to 5 years, unless the
43 coalition determines that the provider is essential to meeting
44 capacity needs based on the assessment under s. 1002.85(2)(j)
45 and the provider has an active improvement plan pursuant to
46 paragraph (n).

47 (n) Adopt a program assessment for school readiness
48 program providers that measures the quality of teacher-child
49 interactions including emotional and behavioral support, engaged
50 support for learning, classroom organization, and instructional
51 support. The program assessment must also include the adoption
52 of quality measures, including a minimum threshold for
53 contracting purposes; a process for program participation;
54 exemptions; and improvement through the completion of an
55 improvement plan.

56 (o) Subject to appropriation, provide for a differential
57 payment, based on the quality measures adopted by the office
58 pursuant to paragraph (n), of up to 10 percent for each care
59 level and unit of child care for a child care provider that has
60 completed a program assessment and scored above the minimum
61 threshold for contracting purposes.

62 (5) By January 1 of each year, the office shall annually
63 publish on its website a report of its activities conducted
64 under this section. The report must include a summary of the
65 coalitions' annual reports, a statewide summary, and the
66 following:

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Published On: 1/22/2018 5:59:13 PM

Amendment No. 1

67 (a) An analysis of early learning activities throughout
68 the state, including the school readiness program and the
69 Voluntary Prekindergarten Education Program.

70 1. The total and average number of children served in the
71 school readiness program, enumerated by age, eligibility
72 priority category, and coalition, and the total number of
73 children served in the Voluntary Prekindergarten Education
74 Program.

75 2. A summary of expenditures by coalition, by fund source,
76 including a breakdown by coalition of the percentage of
77 expenditures for administrative activities, quality activities,
78 nondirect services, and direct services for children.

79 3. A description of the office's and each coalition's
80 expenditures by fund source for the quality and enhancement
81 activities described in s. 1002.89(6)(b).

82 4. A summary of annual findings and collections related to
83 provider fraud and parent fraud.

84 5. Data regarding the coalitions' delivery of early
85 learning programs.

86 6. The total number of children disenrolled statewide and
87 the reason for disenrollment.

88 7. The total number of providers by provider type.

89 8. The number of school readiness program providers who
90 have completed the program assessment required under paragraph
91 (2)(n); the number of providers who have not met the minimum

Amendment No. 1

92 threshold for contracting; and the number of providers that have
93 an active improvement plan based on the results of the program
94 assessment under paragraph (2) (n).

95 ~~9.8.~~ The total number of provider contracts revoked and
96 the reasons for revocation.

97 Section 3. Paragraphs (c) and (d) of subsection (2) of
98 section 1002.85, Florida Statutes, are amended, and paragraph
99 (j) is added to that subsection, to read:

100 1002.85 Early learning coalition plans.—

101 (2) Each early learning coalition must biennially submit a
102 school readiness program plan to the office before the
103 expenditure of funds. A coalition may not implement its school
104 readiness program plan until it receives approval from the
105 office. A coalition may not implement any revision to its school
106 readiness program plan until the coalition submits the revised
107 plan to and receives approval from the office. If the office
108 rejects a plan or revision, the coalition must continue to
109 operate under its previously approved plan. The plan must
110 include, but is not limited to:

111 (c) The coalition's procedures for implementing the
112 requirements of this part, including:

113 1. Single point of entry.

114 2. Uniform waiting list.

115 3. Eligibility and enrollment processes and local
116 eligibility priorities for children pursuant to s. 1002.87.

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Published On: 1/22/2018 5:59:13 PM

Amendment No. 1

- 117 4. Parent access and choice.
- 118 5. Sliding fee scale and policies on applying the waiver
119 or reduction of fees in accordance with s. 1002.84(8).
- 120 6. Use of preassessments and postassessments, as
121 applicable.
- 122 7. Payment rate schedule.
- 123 8. Use of contracted slots, as applicable, based on the
124 results of the assessment required under paragraph (j).
- 125 (d) A detailed description of the coalition's quality
126 activities and services, including, but not limited to:
- 127 1. Resource and referral and school-age child care.
128 2. Infant and toddler early learning.
129 3. Inclusive early learning programs.
130 4. Quality improvement strategies that strengthen teaching
131 practices and increase child outcomes.
- 132 (j) An assessment of local priorities within the county or
133 multi-county region based on the needs of families and provider
134 capacity using available community data.
- 135 Section 4. Subsections (1), (2), (3), and (7) of section
136 1002.87, Florida Statutes, are amended to read:
- 137 1002.87 School readiness program; eligibility and
138 enrollment.—
- 139 (1) Each early learning coalition shall give priority for
140 participation in the school readiness program as follows:
- 141 (a) Priority shall be given first to a child younger than

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Amendment No. 1

142 13 years of age from a family that includes a parent who is
143 receiving temporary cash assistance under chapter 414 and
144 subject to the federal work requirements.

145 (b) Priority shall be given next to an at-risk child
146 younger than 9 years of age.

147 (c) Subsequent priority shall be given, based on the early
148 learning coalition's local priorities identified under s.
149 1002.85(2)(j), to children who meet the following criteria: next
150 to

151 1. A child from birth to the beginning of the school year
152 for which the child is eligible for admission to kindergarten in
153 a public school under s. 1003.21(1)(a)2. who is from a working
154 family that is economically disadvantaged, and may include such
155 child's eligible siblings, beginning with the school year in
156 which the sibling is eligible for admission to kindergarten in a
157 public school under s. 1003.21(1)(a)2. until the beginning of
158 the school year in which the sibling is eligible to begin 6th
159 grade, provided that the first priority for funding an eligible
160 sibling is local revenues available to the coalition for funding
161 direct services.

162 ~~2.(d) Priority shall be given next to~~ A child of a parent
163 who transitions from the work program into employment as
164 described in s. 445.032 from birth to the beginning of the
165 school year for which the child is eligible for admission to
166 kindergarten in a public school under s. 1003.21(1)(a)2.

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Published On: 1/22/2018 5:59:13 PM

Amendment No. 1

167 ~~3.(e) Priority shall be given next to~~ An at-risk child who
168 is at least 9 years of age but younger than 13 years of age. An
169 at-risk child whose sibling is enrolled in the school readiness
170 program within an eligibility priority category listed in
171 paragraphs (a) and (b) and subparagraph (c)1. ~~(e)~~ shall be given
172 priority over other children who are eligible under this
173 paragraph.

174 ~~4.(f) Priority shall be given next to~~ A child who is
175 younger than 13 years of age from a working family that is
176 economically disadvantaged. ~~A child who is eligible under this~~
177 ~~paragraph whose sibling is enrolled in the school readiness~~
178 ~~program under paragraph (c) shall be given priority over other~~
179 ~~children who are eligible under this paragraph.~~

180 ~~5.(g) Priority shall be given next to~~ A child of a parent
181 who transitions from the work program into employment as
182 described in s. 445.032 who is younger than 13 years of age.

183 ~~6.(h) Priority shall be given next to~~ A child who has
184 special needs, has been determined eligible as a student with a
185 disability, has a current individual education plan with a
186 Florida school district, and is not younger than 3 years of age.
187 A special needs child eligible under this paragraph remains
188 eligible until the child is eligible for admission to
189 kindergarten in a public school under s. 1003.21(1)(a)2.

190 ~~7.(i) Notwithstanding paragraphs (a)-(d), priority shall~~
191 ~~be given last to~~ A child who otherwise meets one of the

Amendment No. 1

192 eligibility criteria in paragraphs (a) and (b) and subparagraphs
193 (c)1. and 2. ~~(d)~~ but who is also enrolled concurrently in the
194 federal Head Start Program and the Voluntary Prekindergarten
195 Education Program.

196 (2) A school readiness program provider may be paid only
197 for authorized hours of care provided for a child in the school
198 readiness program. A child enrolled in the Voluntary
199 Prekindergarten Education Program may receive care from the
200 school readiness program if the child is eligible according to
201 the eligibility priorities and criteria established in
202 subsection (1) ~~this section.~~

203 (3) Contingent upon the availability of funds, a coalition
204 shall enroll eligible children, including those from its waiting
205 list, according to the eligibility priorities and criteria
206 established in subsection (1) ~~this section.~~

207 (7) If a coalition disenrolls children from the school
208 readiness program, the coalition must disenroll the children in
209 reverse order of the eligibility priorities and criteria listed
210 in subsection (1) beginning with children from families with the
211 highest family incomes. A notice of disenrollment must be sent
212 to the parent and school readiness program provider at least 2
213 weeks before disenrollment to provide adequate time for the
214 parent to arrange alternative care for the child. However, an
215 at-risk child may not be disenrolled from the program without
216 the written approval of the Child Welfare Program Office of the

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Published On: 1/22/2018 5:59:13 PM

Amendment No. 1

217 Department of Children and Families or the community-based lead
218 agency.

219 Section 5. Paragraphs (h) through (q) of subsection (1) of
220 section 1002.88, Florida Statutes, are redesignated as
221 paragraphs (i) through (r), respectively, present paragraphs (m)
222 and (o) of subsection (1) are amended, and new paragraph (h) is
223 added to subsection (1) of that section, to read:

224 1002.88 School readiness program provider standards;
225 eligibility to deliver the school readiness program.—

226 (1) To be eligible to deliver the school readiness
227 program, a school readiness program provider must:

228 (h) Participate in the program assessment under s.
229 1002.82(2)(n).

230 (n)~~(m)~~ For a provider that is an informal provider, comply
231 with the provisions of paragraph (m) ~~paragraph (l)~~ or maintain
232 homeowner's liability insurance and, if applicable, a business
233 rider. If an informal provider chooses to maintain a homeowner's
234 policy, the provider must obtain and retain a homeowner's
235 insurance policy that provides a minimum of \$100,000 of coverage
236 per occurrence and a minimum of \$300,000 general aggregate
237 coverage. The office may authorize lower limits upon request, as
238 appropriate. An informal provider must add the coalition as a
239 named certificateholder and as an additional insured. An
240 informal provider must provide the coalition with a minimum of
241 10 calendar days' advance written notice of cancellation of or

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Published On: 1/22/2018 5:59:13 PM

Amendment No. 1

242 changes to coverage. The general liability insurance required by
243 this paragraph must remain in full force and effect for the
244 entire period of the provider's contract with the coalition.

245 ~~(p)-(e)~~ Notwithstanding paragraph (m) ~~paragraph (l)~~, for a
246 provider that is a state agency or a subdivision thereof, as
247 defined in s. 768.28(2), agree to notify the coalition of any
248 additional liability coverage maintained by the provider in
249 addition to that otherwise established under s. 768.28. The
250 provider shall indemnify the coalition to the extent permitted
251 by s. 768.28.

252 Section 6. Paragraph (b) of subsection (6) of section
253 1002.89, Florida Statutes, is amended to read:

254 1002.89 School readiness program; funding.-

255 (6) Costs shall be kept to the minimum necessary for the
256 efficient and effective administration of the school readiness
257 program with the highest priority of expenditure being direct
258 services for eligible children. However, no more than 5 percent
259 of the funds described in subsection (5) may be used for
260 administrative costs and no more than 22 percent of the funds
261 described in subsection (5) may be used in any fiscal year for
262 any combination of administrative costs, quality activities, and
263 nondirect services as follows:

264 (b) Activities to improve the quality of child care as
265 described in 45 C.F.R. s. 98.51, which shall be limited to the
266 following:

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Published On: 1/22/2018 5:59:13 PM

Amendment No. 1

267 1. Developing, establishing, expanding, operating, and
268 coordinating resource and referral programs specifically related
269 to the provision of comprehensive consumer education to parents
270 and the public to promote informed child care choices specified
271 in 45 C.F.R. s. 98.33.

272 2. Awarding grants and providing financial support to
273 school readiness program providers and their staff to assist
274 them in meeting applicable state requirements for the program
275 assessment required under s. 1002.82(2)(n), child care
276 performance standards, implementing developmentally appropriate
277 curricula and related classroom resources that support
278 curricula, providing literacy supports, and providing continued
279 professional development and training. Any grants awarded
280 pursuant to this subparagraph shall comply with ss. 215.971 and
281 287.058.

282 3. Providing training, technical assistance, and financial
283 support to school readiness program providers, staff, and
284 parents on standards, child screenings, child assessments, child
285 development research and best practices, developmentally
286 appropriate curricula, character development, teacher-child
287 interactions, age-appropriate discipline practices, health and
288 safety, nutrition, first aid, cardiopulmonary resuscitation, the
289 recognition of communicable diseases, and child abuse detection,
290 prevention, and reporting.

Amendment No. 1

291 4. Providing, from among the funds provided for the
292 activities described in subparagraphs 1.-3., adequate funding
293 for infants and toddlers as necessary to meet federal
294 requirements related to expenditures for quality activities for
295 infant and toddler care.

296 5. Improving the monitoring of compliance with, and
297 enforcement of, applicable state and local requirements as
298 described in and limited by 45 C.F.R. s. 98.40.

299 6. Responding to Warm-Line requests by providers and
300 parents, including providing developmental and health screenings
301 to school readiness program children.

302 Section 7. For the 2018-2019 fiscal year, the sum of \$6
303 million from the Child Care and Development Block Grant Trust
304 Fund is appropriated to the Office of Early Learning to
305 implement the provisions of s. 1002.82(2)(n), Florida Statutes,
306 established by this act.

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

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Remove everything before the enacting clause and insert:

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