Tab 1  
**CS/SB 70 by IS, Book (CO-INTRODUCERS) Berman, Stewart, Torres;** (Compare to CS/CS/H 00023)  
Panic Alarms in Public Schools  
889996  D  S  WD  AED, Book  
326996  SD  S  WD  AED, Book  
163156  D  S  RCS  AED, Stargel  
Delete everything after 02/25 04:39 PM

Tab 2  
**CS/SB 1220 by ED, Diaz;** (Compare to H 07067) Education  
181396  D  S  RCS  AED, Diaz  
Delete everything after 02/26 02:45 PM

Tab 3  
**CS/SB 1568 by ED, Hutson;** (Compare to CS/CS/H 01203) Education  
299800  D  S  RCS  AED, Hutson  
Delete everything after 02/26 01:42 PM

Tab 4  
**SB 1644 by Book (CO-INTRODUCERS) Flores;** (Identical to H 01231) Students With Disabilities in Public Schools  
745298  A  S  RCS  AED, Book  
Delete L.295 - 301: 02/26 01:24 PM

Tab 5  
**SB 1688 by Harrell;** (Compare to CS/CS/CS/H 01013) Early Learning and Early Grade Success  
324350  D  S  RCS  AED, Harrell  
330202  AA  S  RCS  AED, Harrell  
155320  AA  S  L  RCS  AED, Harrell  
Delete L.2552: 02/26 06:58 PM
### Meeting Information

**Meeting Date:** Tuesday, February 25, 2020  
**Time:** 9:00 a.m.—12:00 noon  
**Place:** Pat Thomas Committee Room, 412 Knott Building

**Members:** Senator Stargel, Chair; Senator Diaz, Vice Chair; Senators Baxley, Book, Flores, Montford, Pizzo, and Simmons

### Bill Description and Senate Committee Actions

<table>
<thead>
<tr>
<th>TAB</th>
<th>BILL NO. and INTRODUCER</th>
<th>SENATE DESCRIPTION and SENATE COMMITTEE ACTIONS</th>
<th>COMMITTEE ACTION</th>
</tr>
</thead>
</table>
| 1   | CS/SB 70  
Infrastructure and Security / Book  
(Compare CS/CS/H 23) | Panic Alarms in Public Schools; Citing this act as "Alyssa’s Law"; requiring each public school to be equipped with a panic alarm system, etc. | Fav/CS  
Yeas 8 Nays 0 |
|     | IS 01/13/2020 Fav/CS  
AED 02/18/2020 Temporarily Postponed  
AED 02/25/2020 Fav/CS | |
| 2   | CS/SB 1220  
Education / Diaz  
(Compare H 7067, S 1250, S 1400) | Education; Revising initial scholarship eligibility criteria for the Family Empowerment Scholarship Program, beginning with a specified school year; revising eligibility criteria for the Florida Tax Credit Scholarship Program and applying the criteria only to initial eligibility; requiring that the rules to establish uniform core curricula for each state-approved teacher preparation program include evidence-based reading instructional strategies and mental health strategies and support; expanding requirements for the certification program of a postsecondary educator preparation institute to be approved by the Department of Education, etc. | Fav/CS  
Yeas 5 Nays 3 |
|     | ED 01/21/2020 Fav/CS  
AED 02/25/2020 Fav/CS | |
| 3   | CS/SB 1568  
Education / Hutson  
(Compare CS/CS/H 1203) | Education; Providing that individuals enrolled in certain preapprenticeship programs are deemed to be employees of the state for purposes of receiving certain medical care under workers’ compensation coverage; revising the general duties of the Department of Education with regard to registered apprenticeship and registered preapprenticeship programs; providing that registered apprenticeship or registered preapprenticeship program sponsors are responsible for the selection and training of certain personnel, as approved by the department; revising criteria for apprenticeship occupations, etc. | Fav/CS  
Yeas 8 Nays 0 |
|     | ED 01/27/2020 Fav/CS  
AED 02/25/2020 Fav/CS | |
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</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>SB 1644</td>
<td>Students With Disabilities in Public Schools; Requiring school districts to prohibit the use of seclusion on students with disabilities in public schools; prohibiting specified restraint techniques; requiring a video camera to be placed in specified classrooms upon the request of a parent; requiring schools to provide written notice to certain individuals of the placement of a video camera; requiring continuing education and inservice training for instructional personnel teaching students with emotional or behavioral disabilities, etc.</td>
<td>Fav/CS Yeas 8 Nays 0</td>
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<td>ED 02/10/2020 Favorable</td>
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<tr>
<td>5</td>
<td>SB 1688</td>
<td>Early Learning and Early Grade Success; Adding the Division of Early Learning to the divisions of the Department of Education; revising the duties of the Early Learning Programs Estimating Conference; providing requirements for minimum child care licensing standards; requiring students enrolled in the Voluntary Prekindergarten Education Program to participate in a specified screening and progress-monitoring program; revising the performance standards for the Voluntary Prekindergarten Education Program; authorizing certain child development programs operating on military installations to participate in the school readiness program, etc.</td>
<td>Fav/CS Yeas 8 Nays 0</td>
</tr>
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<td>ED 01/27/2020 Favorable</td>
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Other Related Meeting Documents
I. Summary:

PCS/CS/SB 70 creates “Alyssa’s Law.”

The bill modifies statute to:

- Require each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as “Alyssa’s Alert”, capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- For the 2020-2021 fiscal year, subject to legislative appropriation, require the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

The bill may have a significant, negative fiscal impact to school districts.

The bill has an effective date of July 1, 2020
II. Present Situation:

Alyssa Alhadeff

Alyssa Alhadeff, a former student at Marjory Stoneman Douglas High School in Parkland, Florida, was among the 17 killed during a school shooting in February 2018.¹

School Shootings

There have been over 234 shootings at primary and secondary schools since the shooting at Columbine High in April 1999, resulting in the loss of 144 lives.² In 2018 alone, there were 25 shootings - the highest number during any year since at least 1999, and a Washington Post database of school shootings indicates that over 236,000 students have been exposed to gun violence.³

Life-Threatening Emergencies

Florida law requires district school boards to provide for the health, safety, and welfare of students at school. School districts must establish model emergency management and preparedness procedures that include notification procedures for life-threatening emergencies. The procedures must include commonly used alarm system responses for specific emergencies. Life-threatening emergencies are defined as weapon-use; hostage and active shooter situations; hazardous materials or toxic chemical spills; severe weather (hurricanes, tornadoes, and severe storms); and exposure as a result of a manmade emergency.⁴

9-1-1 Wireless Calls

Although wireless phones can be an important public safety tool, they also create unique challenges for emergency response personnel. Because wireless phones are not associated with one fixed physical location, authorities will not know the nature of the threat or the exact location unless the 9-1-1 caller is able to stay on the call and relay that information. Due to this limitation, police and paramedics may not know how many personnel should respond, where to set up a safe location or rally point, where to relocate students (in the case of a school shooting incident), and where an active shooter may be located.

Marjory Stoneman Douglas High School Public Safety Commission

The Marjory Stoneman Douglas High School Public Safety Commission is entrusted with investigating system failures in the Marjory Stoneman Douglas High School shooting and prior

⁴ See ss. 1006.07(4)(a) and (b), F.S.
mass violence incidents, and developing recommendations for system improvements.\textsuperscript{5} The commission submitted its initial report to the Governor and the Legislature on January 2, 2019, and its second report to the Governor and Legislature on November 1, 2019.\textsuperscript{6} The commission is authorized to issue a report annually, by January 1, and is scheduled to sunset July 1, 2023.\textsuperscript{7}

The commission’s second report includes school safety and security recommendations, which includes language directing that, “some emergency drills should require movement and exercise all necessary aspects of the drill and emergency operations plan, including panic buttons …”, and “the timeliest way to communicate an on-campus emergency is direct reporting from a school staff member to everyone on campus and the 911 center simultaneously.” \textsuperscript{8}

**Panic Buttons**

The U.S. Department of Homeland Security has identified a variety of technologies school districts can use to enhance school safety, including mass notification systems such as panic alarms.\textsuperscript{9} Panic buttons can be set up at a school and monitored by the school administration, local law enforcement. They can be hard wired, wireless, or application-based devices that send a signal notifying first responders of a school security emergency.\textsuperscript{10}

Some mobile phone applications, "act as panic buttons, which a teacher can press to send an alert to the phone of police officers within a certain radius of a school.” Other mobile phone applications focus on locking down or activating other protective measures such as locking doors, deploying smoke cannons, activating strobe lights, and monitoring closed-circuit video.\textsuperscript{11}

### III. Effect of Proposed Changes:

The bill names the act “Alyssa’s Law.”

The bill modifies s. 1006.07, F.S., to:

- Require each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as “Alyssa’s Alert”, capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
- For the 2020-2021 fiscal year, subject to legislative appropriation, require the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

\textsuperscript{5} Section 943.687(3), F.S.
\textsuperscript{7} Section 943.687(9), F.S.
\textsuperscript{8} *Supra*, note 2.
The bill has an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

This bill does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Panic alert systems for a public school would be sold by private sector vendors, and would therefore have a positive impact on vendors selling a panic alert system.

C. Government Sector Impact:

The bill requires each public school to implement a mobile panic alert system. The extent to which mobile panic alert systems are currently implemented in public and charter school buildings is unknown. The bill may have a significant, negative fiscal impact to school districts.

For the 2020-2021 fiscal year, the competitive solicitation conducted by the department in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement is predicated on a legislative appropriation for the system.
VI. Technical Deficiencies:
None.

VII. Related Issues:
None.

VIII. Statutes Affected:
This bill substantially amends section 1006.07 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriation Subcommittee on Education on February 25, 2020:
The committee substitute makes the following changes to the bill:
• Requires each public school, beginning with the 2021-2022 school year, to implement an interoperable mobile panic alert system, known as “Alyssa’s Alert”, capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders.
• Requires the Department of Education, in consultation with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement, to develop a competitive solicitation for a statewide mobile panic alert system.

CS by Infrastructure and Security on January 13, 2020:
• Modified the definition of “panic alarm system” to remove the portion stating the security system signal be silent;
• Adds the panic alarm system must be accessible to administrators, teachers, staff, and other designated personnel;
• Expands installation locations from just buildings to all locations on the school grounds;
• Provides the panic alarm system must provide permanently installed alert indicators located at indoor and outdoor locations; and
• Adds that the panic alarm system must be directly linked to the main office at the school, in addition to local law enforcement agencies that are designated as first responders to the school’s campus, and the system must immediately transmit a signal or message to those authorities upon activation.

B. Amendments:
None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Legislative Action

Senate Comm: WD
02/25/2020

House

Appropriations Subcommittee on Education (Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. This act may be cited as "Alyssa’s Law."
Section 2. Present paragraph (c) of subsection (4) of section 1006.07, Florida Statutes, is redesignated as paragraph (d), and a new paragraph (c) is added to that subsection, to read:

1006.07 District school board duties relating to student
discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(c) Beginning with the 2021-2022 school year, each public elementary, middle, and high school, including charter schools, shall implement an interoperable panic alarm system, as defined in s. 1013.373, that is capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders. Such system, which must be known as “Alyssa’s Alert,” must be integrated with local public safety answering point infrastructure to transmit 911 calls and device application activations.

Section 3. Section 1013.373, Florida Statutes, is created to read:

1013.373 Panic alarms in public schools.—

(1) As used in this section, the term:

(a) “Panic alarm system” means a security system signal generated by the manual activation of a school device intended to communicate a life-threatening or emergency situation that requires an immediate response from law enforcement.

(b) “Public school building” includes all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day.

(2) Beginning with the 2021-2022 school year, each public elementary, middle, and high school, including charter schools,
must implement a panic alarm system known as “Alyssa’s Alert” which complies with s. 1006.07(4)(c). Each school must be equipped with such a system for use in a school security emergency, including, but not limited to, a nonfire evacuation, a lockdown, or an active shooter event. The panic alarm system must:

(a) In order to notice all campus occupants during an active shooter event, be accessible to administrators, teachers, staff, and other designated personnel at all locations on the school grounds.

(b) Be directly linked to the main office at the school and to local law enforcement agencies that are designated as first responders to the school’s campus.

(c) Immediately transmit a signal or message to local law enforcement agencies upon activation.

(3) The Department of Education shall issue a competitive solicitation to identify panic alarm system options that may be used by school districts. In identifying the options available to school districts, the Department of Education shall consider the ability of a system to provide audible and visual notifications to protect persons who are hearing or visually impaired; the interoperability of the system with other emergency management tools, such as surveillance cameras; and compliance with the Americans with Disabilities Act. School districts may select a vendor from those identified by the Department of Education as qualified vendors and may apply to the Department of Education for funding through a competitive grant process.

Section 4. This act shall take effect July 1, 2020.
And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to panic alarms in public schools; providing a short title; amending s. 1006.07, F.S.; beginning in a specified school year, requiring each public school, including charter schools, to implement a panic alarm system for specified purposes; providing requirements for such system; creating s. 1013.373, F.S.; defining terms; requiring each public school to be equipped with a panic alarm system; providing requirements for such systems; requiring the Department of Education to issue a competitive solicitation to identify panic alarm options to be used by school districts; requiring the department to consider certain options available to school districts during the process; authorizing school districts may select a vendor from those identified by the department as qualified vendors; authorizing school districts to apply for funding from the department through a competitive grant process; providing an effective date.
Appropriations Subcommittee on Education (Book) recommended the following:

Senate Substitute for Amendment (889996) (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. This act may be cited as “Alyssa’s Law.”

Section 2. Present paragraph (c) of subsection (4) of section 1006.07, Florida Statutes, is redesignated as paragraph (e), and new paragraphs (c) and (d) are added to that subsection, to read:
1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(c) Beginning with the 2021-2022 school year, each public elementary, middle, and high school campus, including charter schools, must implement a mobile panic alarm system or a panic button system with interoperability capability to connect diverse emergency services technologies to ensure real-time coordination between multiple first responders. Such system, which shall be referred to as “Alyssa’s Alert,” shall integrate with local public safety answering point infrastructure to transmit 911 calls and mobile device application activations. Each school must be equipped with such a system for use in a school security emergency, including, but not limited to, a nonfire evacuation, a lockdown, or an active shooter event, and the system must effectively notify everyone on campus of the emergency. The panic alarm system must:

1. Be accessible to administrators, teachers, staff, and other designated personnel at all locations on the school grounds.

2. Be directly linked to the main office at the school and to local law enforcement agencies that are designated as first responders to the school’s campus.

3. Immediately transmit a signal or message to local law enforcement agencies upon activation.
(d) The department shall issue a competitive solicitation to identify panic alarm system options that may be used by school districts. In identifying the options available to school districts, the department shall consider the ability of a system to provide audible and visual notifications to protect persons who are hearing or visually impaired and the interoperability of the system.

Section 3. This act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled
An act relating to panic alarms in public schools; providing a short title; amending s. 1006.07, F.S.; requiring each public school campus, including charter schools, to implement a panic alarm system for specified purposes, beginning in a specified school year; providing requirements for such system; authorizing the Department of Education to issue a competitive solicitation to identify panic alarm system options to be used by school districts; requiring the department to consider certain factors during review of responses to the solicitation; providing an effective date.
LEGISLATIVE ACTION

Senate Comm: RCS 02/25/2020

House

Appropriations Subcommittee on Education (Stargel) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. This act may be cited as “Alyssa’s Law.”

Section 2. Paragraph (c) of subsection (4) of section 1006.07, Florida Statutes, is redesignated as paragraph (f), and a new paragraph (c) and paragraphs (d) and (e) are added to that subsection, to read:

1006.07 District school board duties relating to student
discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(c) Beginning with the 2021-2022 school year, each public school, including charter schools, shall implement an interoperable mobile panic alert system capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responders. Such system, known as “Alyssa’s Alert,” must integrate with local public safety answering point infrastructure to transmit 911 calls and mobile device application activations.

(d) In addition to the requirements of subsection (c), a public school district may implement additional strategies or systems to ensure real-time coordination between multiple first responders in a school security emergency.

(e) For the 2020-2021 fiscal year, subject to the appropriation of funds in the General Appropriations Act for this purpose, the department shall issue a competitive solicitation to contract for a mobile panic alert system for all public schools statewide as provided in subsection (c). The department shall consult with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement in the development of the competitive solicitation for the statewide mobile panic alert system.

Section 4. This act shall take effect July 1, 2020.
And the title is amended as follows:
Delete everything before the enacting clause and insert:

A bill to be entitled
An act relating to alert systems in public schools; providing a short title; amending s. 1006.07, F.S.; requiring each public school to implement a mobile panic alert system for specified purposes beginning in a specified school year; providing requirements for such system; requiring the Department of Education to issue a competitive solicitation to contract for a mobile panic alert system for all public schools statewide; requiring the department to consult with the Marjory Stoneman Douglas High School Public Safety Commission and the Florida Department of Law Enforcement in the development of the competitive solicitation; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as "Alyssa’s Law."

Section 2. Section 1013.373, Florida Statutes, is created to read:

1013.373 Panic alarms in public schools.—
(1) As used in this section, the term;
(a) "Panic alarm system" means a security system signal generated by the manual activation of a device or an alternative mechanism intended to communicate a life-threatening or emergency situation that requires a response from law enforcement.
(b) "Public school building" includes all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day.

(2) Each public school must be equipped with a panic alarm system for use in a school security emergency, including, but not limited to, a non-fire evacuation, a lockdown, or an active shooter situation. The panic alarm system must be accessible to administrators, teachers, staff, and other designated personnel at all locations on the school grounds. The panic alarm system must provide permanently installed alert indicators located at indoor and outdoor locations. The panic alarm system must be directly linked to the main office at the school and to local law enforcement agencies that are designated as first responders to the school’s campus, and the system must immediately transmit a signal or message to those authorities upon activation.

Section 3. This act shall take effect July 1, 2020.
THE FLORIDA SENATE

APPEARANCE RECORD

(DELIVER BOTH COPIES OF THIS FORM TO THE SENATOR OR SENATE PROFESSIONAL STAFF CONDUCTING THE MEETING)

Meeting Date: 2/25/20

Bill Number (if applicable): 70

Amendment Barcode (if applicable): 

Topic: Panic Button

Name: Andrew Goren

Job Title: Volunteer for make our schools safe

Address:

Street

City

State

Zip

Phone: 850-559-2403

Email:

Speaking: ☑ For ☐ Against ☐ Information

Waive Speaking: ☑ In Support ☐ Against

(The Chair will read this information into the record.)

Representing: make our schools safe

Appearing at request of Chair: ☐ Yes ☑ No

Lobbyist registered with Legislature: ☐ Yes ☑ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date 2/25

Topic SB 70 - PAUSE BUTTON

Name JUAN CARDENAS

Job Title RSM

Address 8101 SW 124TH STREET
            PINELANDS, FL 33156

Phone

Email

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing ALERT POINT SECURITY

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25

Bill Number (if applicable): 70

Amendment Barcode (if applicable): 16315

Topic: SB 70 - Panic Alarms

Name: Sam Wagoner

Job Title: lobbyist

Address: 5557 Runina Ln
             New Port Richey, FL 34655

Phone: 352-584-8647

Email: wagoner@5cogroup.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Representing: Volusia County School District

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

CS|SB 70
Bill Number (if applicable)

Panic ALARMS in Public Schools
Topic

Mick McHALE
Name

LOBBYIST
Job Title

300 E Brevard Street
Address

Tallahassee, Fl 32301
City State Zip

Phone 800-733-3722

Email

For In Support
Speaking:  Yes No
Against Information

Waive Speaking:  No
(The Chair will read this information into the record.)

Representing FLORIDA POLICE BENEFICIAL ASSOC.

Appearing at request of Chair:  Yes No
Lobbyist registered with Legislature:  Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
25 Feb 20

Meeting Date

Topic Panic larams in Public Schools

Name Barney Bishop III

Job Title CEO

Address 2215 Thomasville Road

Tallahassee FL 32308

Street

City State Zip

Phone 850.510.9922

Email barney@barneybishop.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☑ In Support ☐ Against

(The Chair will read this information into the record.)

Representing Florida Smart Justice Alliance

Appearing at request of Chair: ☑ Yes ☐ No

Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

70
Bill Number (if applicable)

163156
Amendment Barcode (if applicable)

Topic
Power Abuses

Name
Scott Jenkins

Job Title
215 S Monroe St, Ste 500

Address
Street
TC
FC 32301
City
State
Zip

Phone
850 661 0822

Email

Speaking: □ For □ Against □ Information
Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing
School Check-In

Appearing at request of Chair: □ Yes □ No
Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20  
Meeting Date  

SB 70  
Bill Number (if applicable)

Topic Panic Buttons - Alyssa's Law  

Name Lori Alhadeff  

Job Title School Board Member  

Address 8675 Watercrest Circle West  

Parcland, FL 33076  

Phone 609-335-8226  

Email playforalyssa@gmail.com

Speaking: [x] For  [ ] Against  [ ] Information  

Waive Speaking: [ ] In Support  [ ] Against  
(The Chair will read this information into the record.)

Representing [x] Self  

[ ] Yes  [x] No  Lobbyist registered with Legislature:
[ ] Yes [x] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2.25.20

Bill Number (if applicable) 70

Amendment Barcode (if applicable)

Topic Panic alarms in Public schools

Name Wayne "Bernie" Bernoska

Job Title President

Address 343 W MADISON ST
Street
City Tallahassee
State FL
Zip 32301

Phone 321-231-9116

Email Bernie @FPFP.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ✓ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Professional Firefighters

Appearing at request of Chair: ☐ Yes ✓ No

Lobbyist registered with Legislature: ✓ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2-25-2020

Bill Number (if applicable) SB 70

Amendment Barcode (if applicable)

Topic PAXIC ALARMS

Name Eric Stern

Job Title Legislative Committee member

Address 1747 Orlando Central Pky

Phone 800-373-5782

Email

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

2/26
Meeting Date

Topic Panic Alarms in Schools

Name Megan Turetsky

Job Title Government Affairs Manager

Address 6600 W Commercial Blvd
Street Lauderhill
City Ft
State 33319
Zip

Phone 954-551-0735
Email Mturetsky@cscc.broward.fl

Speaking: ☐ For ☐ Against ☐ Information
Waive Speaking: ☑ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Children’s Services Council of Broward County

Appearing at request of Chair: ☐ Yes ☐ No
Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 3/25/20

Topic: Panic Alarms in Schools

Name: Heather Davidson

Job Title: Director, Public Policy

Address: 1300 S. Andrews Ave., Fort Lauderdale, FL 33310

Phone: 954-308-9277

Email: hdavidson@unitedwaybroward.org

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against
(The Chair will read this information into the record.)

Representing: United Way of Broward County

Appearing at request of Chair: [X] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

Meeting Date: 2-28-20

Topic: Panic

Name: Greg Pound

Bill Number (if applicable): CB 70

Amendment Barcode (if applicable): __________

Job Title: __________

Address: 9100 Sunrise Dr

Street: __________

City: Largo

State: FL

Zip: 33773

Phone: __________

Email: __________

Speaking:  ■ For  □ Against  ■ Information

Waive Speaking:  □ In Support  □ Against
(The Chair will read this information into the record.)

Representing: Saving Families

Appearing at request of Chair:  □ Yes  □ No

Lobbyist registered with Legislature:  □ Yes  □ No

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S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 1/25/20

Bill Number (if applicable) SB 70

Amendment Barcode (if applicable)

Topic Panic Alarm

Name Linda Edson

Job Title Legislative Chair

Address 1841 Myrick Rd

Tallahassee, Fl 32303

City State Zip

Phone 650-510-2729

Email edsonl@notfally.com

Speaking: ☐ For  ☐ Against  ☐ Information  Waive Speaking: ☑ In Support  ☐ Against
(The Chair will read this information into the record.)

Representing Florida Retired Educators Association

Appearing at request of Chair:  ☑ Yes  ☐ No  Lobbyist registered with Legislature:  ☐ Yes  ☑ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

2/25
Meeting Date

0070
Bill Number (if applicable)

Panic school buttons
Topic

Nicolete Owens
Name

High school educator
Job Title

5131 E Portofino Landings Blvd. #206
Address

722-267-0827
Phone

menicol0@yahoo.com
Email

Speaking: ☑ For ☐ Against ☐ Information
Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing
St. Lucie EASL #3614 (Teacher union)

Appearing at request of Chair: ☑ Yes ☐ No
Lobbyist registered with Legislature: ☐ Yes ☑ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
I. Summary:

PCS/CS/SB 1220 provides additional educational and professional growth opportunities for students and teachers. The bill modifies provisions relating to educator preparation programs, subject area mastery for and renewal of educator certificates, the Education Practices Commission (EPC), and teacher professional development. Specifically, the bill:

- Modifies admissions, core curricula, and instructional requirements for initial teacher preparation (ITP) and educator preparation institute (EPI) programs by:
  - Changing that the grade point average and General Knowledge Test requirements currently required for admission to the ITP program are to be completed during the student’s time in the program.
  - Modifying ITP program core curricula relating to reading instructional strategies and adding a new requirement for mental health strategies and support.
  - Requiring ITP and EPI programs to include the opportunity for students to complete an endorsement, and to include specified instruction required for instructional personnel.
  - Modifying ITP and EPI continuing approval requirements to require that employer surveys include assessments of student proficiency.

- Modifies educator certification requirements to:
  - Authorize an additional option to demonstrate mastery of subject area competence to include a bachelor’s degree in the subject area, with conditions.
  - Require that a teacher may earn inservice points only once during a certificate renewal period for training that is not related to student learning or professional growth.

- Modifies requirements relating to the EPC, including that:
The Commissioner of Education may select and remove the EPC executive director, and may establish the duties of the executive director.

- Modifies school district professional development (PD) systems and creates new PD opportunities by:
  - Requiring a district to calculate a proportional share of PD funds for each teacher, and specifies that each teacher may use up to 25 percent of that share for specified PD.
  - Requiring the DOE and school districts to create an annual and five-year model calendar of state-mandated PD.
  - Requiring the DOE to maintain a statewide registry of approved professional development providers.
  - Creating the Professional Development Choice Pilot Program, subject to appropriation, to allow a teacher to receive a grant of up to $500 for PD aligned to standards.
  - Creating the Professional Education Excellence Resources (PEER) Pilot Program in Clay, Palm Beach, Pinellas, and Walton counties to allow a teacher extended time for PD, teacher collaboration, and teacher leadership opportunities. This program shall be implemented to the extent specifically funded and authorized by law.

- Modifies the eligibility requirements of the Family Empowerment Scholarship (FES) and the Florida Tax Credit (FTC) scholarship, and maximum annual growth in student participation for the FES, by:
  - Expanding FES eligibility to a student who received an FTC scholarship in the prior year and was in a public school the year prior to initial receipt of the FTC scholarship.
  - Aligning FES and FTC scholarship eligibility by allowing an FES student to participate in up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding; and by providing that the FES is not subject to the maximum of one FTE for funding.
  - Providing that a student eligible for an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s income level.
  - Modifying the maximum annual growth in student participation in the FES to 1.0 percent of the state public school enrollment (rather than 0.25 percent) starting in the 2020-2021 school year.

- Modifies the charter school application process and enrollment limitations by:
  - Requiring a sponsor to receive and consider a charter school application submitted at any time during the calendar year.
  - Modifying enrollment limitations to prioritize a developer and charitable foundation that perform specified actions.

- Requires school districts to provide for the administration of the SAT or ACT to all students in grade 11, beginning in the 2020-2021 school year; with funding as provided in the General Appropriations Act (GAA).

- Establishes a series of school district Full-Time Equivalent (FTE) student bonuses for completion of general education core courses with a grade of “B” or higher through dual enrollment, and completion of an associate degree through dual enrollment.

- Requires the Commissioner to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.
The Department of Education may experience decreased revenue from the loss of subject area examination fees and may incur costs related to developing model professional development calendars and a statewide registry of approved professional development providers and activities.

Revising the increase for maximum student participation in the FES from .25% (roughly 7,000 students to 1.0% (roughly 28,000 students) annually may increase the FTE and state funding for the FEFP. In addition, expanding the Florida Empowerment Scholarship (FES) eligibility by including FTC students who were public school students before they took an FTC scholarship may increase FTE and state funding needed for the FEFP. In addition, exempting the FES scholarship amount from the 1.0 FTE requirement also has the potential to increase the FTE and funding needed for the FEFP.

Beginning in the 2021-2022 fiscal year, the bill may reallocate funds within the Florida Education Finance Program (FEFP) to those school districts with relatively more students successfully completing dual enrollment coursework; however, no appropriation is required.

See Section V.

The bill takes effect on July 1, 2020, unless otherwise specified.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Educator Preparation Programs

Present Situation

Public and private universities and colleges throughout the state offer Initial Teacher Preparation (ITP) Programs. Many of the Florida colleges and universities have state-approved Educator Preparation Institutes (EPIs) through which they deliver alternative certification programs for baccalaureate degree holders. Also, the majority of Florida public school districts offer Professional Development Certification Programs.

Initial Teacher Preparation Programs

ITP programs prepare candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas, mastery of general knowledge, and mastery of professional preparation and education competence. There are currently 53 state-approved1 ITP programs at Florida College System institutions, state universities, and independent colleges and universities,

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1 Section 1004.04, F.S., and Rule 6A-5.066(2), F.A.C., detail criteria for state approval of ITP programs.
which typically culminate in a bachelor's or master's degree. ITP program completers are eligible for a Florida Professional Educator’s Certification upon program completion.

In order to be admitted into an ITP program, a student must, at a minimum:

- Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from an approved college or university.
- Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an approved institution.

Each ITP program may waive these admissions requirements for up to 10 percent of the students admitted, subject to requirements related to student success and state-level reporting.

The State Board of Education (SBE) must adopt rules to establish uniform core curricula for each state-approved teacher preparation program. These rules must include, at a minimum, the following:

- The Florida Educator Accomplished Practices.
- The use of state-adopted content standards to guide curricula and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- Content literacy and mathematics practices.
- Strategies appropriate for the instruction of English language learners.
- Strategies appropriate for the instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- The use of character-based classroom management.

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4 Section 1004.04(3)(b), F.S.

5 An approved institution is one that is accredited by a specified regional accrediting association or an accrediting agency approved by the United States Department of Education. A qualifying non-accredited institution is one that is identified as having a quality program resulting in a bachelor’s degree or higher by criteria specified in SBE rule. Rule 6A-4.003, F.A.C.

6 Rule 6A-4.003, supra note 5.

7 Id.

8 Section 1004.04(2)(a), F.S.

9 Section 1004.04(2)(b)(1)-7., F.S.

10 The Florida Educator Accomplished Practices are Florida’s core standards for effective educators. The Accomplished Practices form the foundation for the state’s teacher preparation programs, educator certification requirements and school district instructional personnel appraisal systems. The Accomplished Practices are based on three essential principles: (1) the effective educator creates a culture of high expectations for all students by promoting the importance of education and each student’s capacity for academic achievement; (2) the effective educator demonstrates deep and comprehensive knowledge of the subject taught; and (3) the effective educator exemplifies the standards of the profession. Rule 6A-5.065, F.A.C.
Continued approval of a teacher preparation program is based upon evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.\textsuperscript{11}

The criteria for continued approval must include evidence that the program candidate has met admission and core curricula requirements, evidence of performance in specified outcome measures, and:\textsuperscript{12}

- Results of the program completers’ survey measuring their satisfaction with preparation for the realities of the classroom.
- Results of the employers’ survey measuring satisfaction with the program and the program’s responsiveness to local school districts.

**Educator Preparation Institutes**

EPIs are offered by approved postsecondary institutions\textsuperscript{13} or qualified private providers to provide instruction for baccalaureate or higher degree holders who did not earn an education-related degree, resulting in qualification for a temporary teaching certificate.\textsuperscript{14} DOE approval of a certification program requires the institute to provide evidence of the institute’s capacity to implement a competency-based program that includes:\textsuperscript{15}

- The core curricula areas that are required for ITP programs.
- An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification.
- Field experiences in specified settings appropriate to the certification subject area specified in the educational plan.

Each EPI must submit to the DOE annual performance evaluations that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and candidates. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the realities of the classroom and the institute’s responsiveness to local school districts.\textsuperscript{16}

**Effect of Proposed Changes**

The bill modifies s. 1004.04, F.S., relating to prerequisites for admission to, and uniform core curricula of, each state-approved teacher preparation program. The bill:

- Changes the admission requirements to an ITP program to specify that the grade point average and General Knowledge Test requirements are not required for admission, but instead are required to be completed during the student’s time in the program. Accordingly,

\textsuperscript{11} Section 1004.04(4), F.S.
\textsuperscript{12} Section 1004.04(4), F.S.
\textsuperscript{13} Rule 6A-4.003, supra note 5.
\textsuperscript{15} Section 1004.85(3), F.S.
\textsuperscript{16} Section 1004.085(5), F.S.
the bill removes provisions relating to waivers of admission requirements that are not necessary under the bill modifications.

- Modifies the requirement for SBE rules establishing uniform core curricula to require:
  - Reading instructional strategies be evidence based, and removes the requirement that such strategies be scientifically researched.
  - A new provision for mental health strategies and support.

Such changes may enable students who have not met the GPA or general knowledge requirement to be admitted into a program and meet the requirement while in the program. Completion of the General Knowledge Test has been a barrier to student admittance to ITP programs, and such changes may enable more students to be admitted into ITP programs and increase the supply of available teachers.

In addition, changes to the uniform core curricula are consistent with the current designation of reading strategies, and with the recent emphasis on school-based mental health supports for students and families.

The bill modifies sections 1004.04, F.S., relating to ITP program initial state program approval, and 1004.85, F.S., relating to postsecondary EPIs, to require each program to include:

- The opportunity for the candidate to complete coursework toward obtaining an endorsement in the candidate’s chosen teaching field.
- In addition to the core standards for effective education, instruction in the training required of certified instructional personnel, including, but not limited to:
  - Identification, intervention, and prevention of child abuse, abandonment, and neglect.
  - Integration of technology into classroom teaching.
  - Management, assessment, and monitoring of student learning and performance.
  - Skills in classroom management, violence prevention, conflict resolution, and related areas.
  - Developmental disabilities.
  - Youth suicide awareness and prevention.
  - Youth mental health awareness and assistance.

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18 Examples of recent activity related to school-based mental health services include: (1) the requirement in s. 1012.584, F.A.C., for the DOE to, beginning in the 2018-2019 school years, establish an evidence-based youth mental health awareness and assistance training program for school personnel; (2) the establishment of a Mental Health Allocation, with specified application requirements, that has allocated over $144 million to school districts in Specific Appropriation, s. 36, ch. 2018-3, L.O.F., and Specific Appropriation 93, s. 2, ch. 2019-115, L.O.F.; (3) the 2019 requirement in SBE Rule 6A-1.094121, F.A.C., that all school districts annually provide a minimum of five hours of specified instruction regarding youth mental health awareness and assistance; and (4) specifying the purpose for and adding duties to the multiagency network for students with emotional and behavioral disabilities in s. 23, ch. 2018-3, L.O.F.
19 Educators who hold a currently valid Florida Temporary or Professional Certificate may be eligible to add another subject coverage or endorsement. An endorsement is a rider on a Florida certificate with a full subject coverage and denotes a particular expertise in an instructional level or methodology. To earn an endorsement, an educator must complete the course requirements listed in State Board Rule for the endorsement, or complete a Florida school district’s approved inservice add-on program for the endorsement. Florida Department of Education, Certificate Additions, http://www.fldoe.org/teaching/certification/additions/ (last visited Jan. 21, 2020). Endorsements include, but are not limited to, American Sign Language, English for Speakers of Other Languages (ESOL), Gifted, Reading, and Severe or Profound Disabilities. Florida Department of Education, Adding an Endorsement to a Professional Certificate, http://www.fldoe.org/teaching/certification/additions/adding-an-endorsement.stml (last visited Jan. 21, 2020).
The bill also specifies that the survey required as a part of continued ITP program approval must include the employer’s assessment of the student’s proficiency in the use of state-adopted content standards and general preparation for the classroom. The survey required of the EPI performance evaluation satisfaction must measure student’s proficiency in the use of state-adopted content standards.

The changes to ITP programs may help graduates be better prepared as instructional personnel and for the classroom.

**Educator Certification Requirements**

**Present Situation**

The Legislature has established certification requirements to assure that educational personnel in public schools possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence so as to demonstrate an acceptable level of professional performance.  

**Types of Educator Certificates**

In order to seek educator certification, a person must meet general eligibility requirements, which include receipt of a bachelor’s or higher degree from an approved postsecondary institution. Individuals must also demonstrate mastery of general knowledge, if the person serves as a classroom teacher; mastery of subject area knowledge; and mastery of professional preparation and education competence.

The DOE issues two primary educator certificates:

- A professional certificate is the highest type of full-time certificate issued. The professional certificate is a 5-year renewable certificate.
- A temporary certificate is a 3-year nonrenewable certificate issued to an applicant who has met general eligibility criteria, but has not yet demonstrated mastery of general knowledge or professional preparation and education competence.

**Mastery of General Knowledge**

In order to seek professional certification as a classroom teacher, a person must, among other requirements, demonstrate mastery of general knowledge. Florida law provides options for a teacher to demonstrate mastery of general knowledge. Such options include achieving passing...
scores on all sections of the general knowledge examination required by SBE rule, holding a
specified teaching certificate from another state, completing specified postsecondary teaching
experience, or achieving passing scores on the Graduate Record Examination.

The General Knowledge Test is a component of the Florida Teacher Certification Examination and includes subtests in English language skills, reading, writing, mathematics. In 2018, there were 87,457 first-time and retake attempts, with a pass rate of 52 percent. Among examinees in a state-approved teacher preparation program, there were 11,924 first-time and retake attempts, with a pass rate of 60 percent.

**Mastery of Subject Area Knowledge**

Acceptable means of demonstrating mastery of subject area knowledge are:

- For bachelor's degree level subjects: achievement of a passing score on the appropriate subject area examination earned no more than 10 years prior to the date of application.
- For master’s degree level subjects: completion of the required degree and content courses for the subject and achievement of a passing score on the appropriate Florida subject area examination earned no more than 10 years prior to the date of application.
- For all subject areas: hold a valid standard certificate in the subject area applied for from a state or territory, or hold a specified valid national certificate in the subject area.
- For select world languages: passage of a specified foreign language proficiency examination.

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29 In 2014, the general knowledge test was redeveloped to match the increased rigor of competencies and skills required for teacher certification. The SBE also approved new higher passing scores for the examination. These new passing scores for all subtests of the General Knowledge Test became effective January 1, 2015. State Board of Education, *Approval of Amendment to Rule 6A-4.0021, Florida Teacher Certification Examinations* (Nov. 18, 2014), available at [http://www.fldoe.org/core/fileparse.php/9931/urlt/0109031-40021.pdf](http://www.fldoe.org/core/fileparse.php/9931/urlt/0109031-40021.pdf). The cut scores were set for a beginning effective teacher, one that is likely to have successful students in his or her classroom as opposed to the prior standard, which was minimum competency. State Board of Education, *Nov. 18, 2014 Meeting Minutes* (Jan. 14, 2015), available at [http://www.fldoe.org/core/fileparse.php/9971/urlt/minutes11415.pdf](http://www.fldoe.org/core/fileparse.php/9971/urlt/minutes11415.pdf), at 7.

30 The purpose of the Florida Teacher Certification examinations (FTCE) is to ensure that all teacher candidates demonstrate the necessary content and pedagogical knowledge necessary to effectively instruct students in Florida. Florida Department of Education, *Florida Teacher Certification Examinations (FTCE)*, [http://fldoe.org/accountability/assessments/postsecondary-assessment/ftce/](http://fldoe.org/accountability/assessments/postsecondary-assessment/ftce/) (last visited Jan. 14, 2020). The written examinations includes subtests of English language skills, reading, writing, mathematics, professional skills, and subject area specialty. Rule 6A-4.0021(2), F.A.C.

31 Rule 6A-4.0021, F.A.C.


33 *Id.* at 73.


36 The fee for a first time registration or retake of the full battery of subject area subtests is $150. Retake fees are prorated based on the number of subtests required. Rule 6A-4.0021(4), F.A.C. For a subject without a subject area examination, the SBE may identify a passing score on a standardized examination or competency may be verified by a school district. Section 1012.56(5), F.S.

37 Rule 6A-4.002(4)(a), F.A.C.

Certificate Renewal

All professional certificates, except a nonrenewable professional certificate, must be renewed every five years. In order to qualify for renewal, the applicant must earn at least six college credits or 120 inservice (professional development) points during the 5-year cycle. For each area of specialization to be retained on a certificate, the applicant must earn at least three of the required credit hours or equivalent inservice points in the specialization area.

Instructional personnel are required to undergo training related to teaching students with developmental disabilities and training in youth mental health awareness and assistance. In order to renew a professional certificate, other appropriate training topics include:

- Youth suicide awareness and prevention.
- Content or methods specific to the subject area.
- Methods of teaching reading and literacy skills acquisition.
- Computer literacy, computer applications, or computer education.
- ESOL (English for Speakers of Other Languages).
- Drug abuse, child abuse and neglect, or student dropout prevention.
- Classroom strategies.

Effect of Proposed Changes

The bill modifies s. 1012.56, F.S., to add another acceptable method of demonstrating mastery of subject area knowledge. The bill authorizes that a person seeking an educator certificate in a subject requiring only a baccalaureate degree may demonstrate subject area knowledge with a baccalaureate degree with a major in the subject area, conferred within the last 10 years from an accredited or approved institution as defined in SBE rule. The provision of an additional option to demonstrate mastery of subject area competence may allow more candidates for educator certification to meet the requirements. In 2018, there were 63,774 first time and retake subject area exams attempted, but it is not clear how many such attempts were by individuals who could otherwise qualify with a specified bachelor’s degree under the additional option authorized in the bill.

39 Section 1012.585(2)(a), F.S.
40 College credit earned at an accredited or approved institution or community or junior college as specified in rule 6A-4.003, F.A.C., may be used to renew the professional certificate. Rule 6A-4.0051, F.A.C.
41 Inservice points earned through inservice education activities developed by the school district in accordance with rule 6A-5.071, F.A.C., may be used to renew the professional certificate. One clock hour of participation equals one inservice point. Twenty inservice points equal one semester hour of college credit. Rule 6A-4.0051, F.A.C.
42 Section 1012.585(3)(a), F.S. Applicants may combine college credits and inservice points to meet this requirement. Rule 6A-4.0051(1)(a), F.A.C. Inservice points must be earned through participation in state board-approved school district inservice activities. Rule 6A-4.0051(1)(a), F.A.C.
43 Section 1012.585(3)(a), F.S. A passing score on a subject area test in the certification area shown on the certificate may be used to renew the coverage on the professional certificate. Rule 6A-4.0051, F.A.C.
44 Section 1012.582, F.S.
45 Section 1012.584, F.S.
47 Section 1012.583, F.S.
48 Rule 6A-4.003, F.A.C., supra note 5.
The bill modifies s. 1012.585, F.S., relating to the renewal of a professional certificate, to specify that a teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth. Teachers and school districts may have to modify professional development programs in order for teachers to meet certificate renewal requirements.

The bill also modifies s. 1012.586, F.S., to provide a conforming cross-reference relating to completion of a subject area examination for addition of subject coverage or an endorsement to an educator certificate.

**Education Practices Commission**

**Present Situation**

Educator misconduct occurs in various forms and ranges in severity from allegations of direct harm to students (such as physical or sexual abuse) to an act detrimental to the education profession (such as falsifying documentation of continuing education courses or cheating on a professional exam).50

The SBE has adopted standards for educator conduct, referred to as the Principles of Professional Conduct for the Education Profession.51 The Education Practices Commission (EPC or commission) interprets and applies the principles.52 If the Commissioner of Education (commissioner) determines the educator's conduct warrants disciplinary action, the EPC determines what penalty to issue against an educator's certificate. Penalties that can be issued against an educator's certificate include a letter of reprimand, fines, probation, suspension or revocation.53

The EPC is composed of 25 members specified in law, who are appointed by the SBE based on nominations by the commissioner.54 From among the commission members, the EPC elects a chair who presides over meetings and performs other duties as directed by the EPC or rules.55 The EPC, by a vote of three-fourths of the membership, employs an executive director, who may be dismissed by a majority vote of the membership.56

The EPC is assigned to the DOE only for administrative purposes, and is not subject to control, supervision, or direction by the DOE.57
The EPC is financed from educator certification fees; fines, penalties, and costs collected pursuant to law;\(^{58}\) and general revenue.\(^{59}\) The EPC may make expenditures as necessary in exercising its authority and powers and carrying out its duties and responsibilities, including expenditures for personal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding.\(^{60}\)

**Effect of Proposed Changes**

The bill amends s. 1012.79, F.S., to revise the selection and duties of the executive director of the EPC and to modify EPC accountability and allowable expenditures, which may increase collaboration between the DOE and the EPC, and may strengthen financial accountability of the EPC. Specifically, the bill:

- Removes from the EPC the authority to select and remove an executive director, and authorizes the commissioner, with the advice and consent of the EPC chair, to appoint and remove an executive director.
- Specifies that the executive director has administrative duties, as specified by the commissioner, and may not impact or influence decisions of the EPC.
- Specifies that the EPC is assigned to the DOE for not only administrative purposes, but also for fiscal accountability purposes.
- Removes the authorization for the EPC to make expenditures for a general counsel or access to counsel, and authorizes expenditures for legal services.

**Professional Development**

**Present Situation**

The purpose of professional development (PD) is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.\(^{61}\)

**Professional Development System**

Florida law requires the DOE, public postsecondary education institutions public school districts, state education foundations, consortia, and professional organizations to work collaboratively to establish a coordinated system of PD.\(^{62}\) The PD system must align to the standards adopted by

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\(^{58}\) Section 1012.796(9), F.S.

\(^{59}\) Section 1012.79(10), F.S.

\(^{60}\) Section 1012.79(9), F.S.

\(^{61}\) Section 1012.98(1), F.S.

\(^{62}\) Section 1012.98(1), F.S. A developmental research school, an eligible state educational agency, an organization of private schools or a consortium of charter schools may also develop a PD system. Rule 6A-5.071(6), F.A.C. Florida law authorizes a network of PD academies that are operated in partnership with area business partners to develop and deliver high-quality training programs for school districts. Section 1012.985(1), F.S.
the state and support the framework for standards adopted by the National Staff Development Council.\textsuperscript{63} The PD system must:\textsuperscript{64}

- Support and increase the success of educators through collaboratively developed school improvement plans.
- Assist the school community in providing stimulating, scientific research-based educational activities that encourage and motivate students to achieve at the highest levels, and that prepare students for success at subsequent educational levels and the workforce.
- Provide continuous support for all education professionals as well as temporary intervention for education professionals who need improvement in knowledge, skills, and performance.
- Provide training to teacher mentors as part of professional development certification and education competency programs.

**Master Inservice Plans**

District PD systems must include a master inservice plan (MIP) that identifies the educational training programs, called components of professional learning, that may generate inservice points toward recertification or add-on certification.\textsuperscript{65} The MIP is also called the professional learning catalog.\textsuperscript{66} Each district catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom.\textsuperscript{67}

As a part of the MIPs, district school boards may develop add-on alternative teacher preparation programs to enable certified teachers to add an additional coverage to their certificates without having to take college courses. The program must be approved by the DOE.\textsuperscript{68}

In addition, MIPs may include Professional Education Competency (PEC) programs to assist teachers with a temporary certificate in demonstrating professional preparation and education competence required for a professional certificate. Such PEC programs may be offered through school districts or private organizations. Each PEC program must be based on classroom

\textsuperscript{63} Section 1012.98(1), F.S. The system of professional development must align to the standards adopted by the SBE in Rule 6A-5.071, F.A.C., and support the framework for standards adopted by the National Staff Development Council, now known as "Learning Forward." Florida Department of Education, District Professional Development Elements, [http://www.fldoe.org/teaching/professional-dev/dis-professional-dev-elements.stml](http://www.fldoe.org/teaching/professional-dev/dis-professional-dev-elements.stml) (last visited Jan. 11, 2020). The Standards for Professional Learning outline the characteristics of professional learning that leads to effective teaching practices, supportive leadership, and improved student results. Learning Forward, Standards for Professional Learning, [https://learningforward.org/standards-for-professional-learning/](https://learningforward.org/standards-for-professional-learning/) (last visited Jan. 22, 2020).

\textsuperscript{64} Section 1012.98(3), F.S.


\textsuperscript{66} Rule 6A-5.071(1), F.A.C. The professional learning catalog must be submitted to the department for initial approval by the Commissioner. Rule 6A-5.071 (6)(a), F.A.C.

\textsuperscript{67} Section 1012.98(4)(b)5., F.S.

application of the Florida Educator Accomplished Practices and instructional performance and, for public schools, must be aligned with the district or state teacher evaluation system.

**Individual Professional Development Plans**

Each school principal may establish an individual professional development plan (IPDP) for each instructional employee as a seamless component to the school improvement plan. An IPDP must be related to specific student performance data, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the PD plan.

**DOE Responsibilities for Professional Development**

In addition to approving school district PD systems, the DOE is required to disseminate:

- Research-based professional development methods and programs that have demonstrated success in meeting identified student needs, including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available assistance.
- Research-based best practice methods by which the state and district school boards may evaluate and improve the professional development system. The best practices must include data that indicate the progress of all students.
- PD in the use of integrated digital instruction at schools that include middle grades. The professional development must provide training and materials that districts can use to provide instructional personnel with the necessary knowledge, skills, and strategies to effectively blend digital instruction into subject-matter curricula.

**Mentor Teacher Programs**

Alongside ensuring the most effective teachers are eligible for teacher leadership roles, one important component of PD at the state level is to build both monetary and non-monetary incentives and supports into teacher leadership policies. Incentives (such as additional compensation) and supports (such as reduced course loads) can help ensure that teacher leadership roles are both attractive and sustainable.

In Florida, the DOE is required to create guidelines and identify best practices for the mentors of first-time teachers and for new teacher-support programs. The DOE is required to disseminate to the school community proven model PD programs that have demonstrated success in

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70 Section 1012.56(8)(b)1., F.S. Organizations approved to offer PEC programs are available at http://www.fldoe.org/core/fileparse.php/5636/urlt/pecoci.pdf.
71 For instructional personnel and administrative personnel who have been evaluated as less than effective, a district school board shall require participation in specific professional development programs as provided in subparagraph (4)(b)5. as part of the improvement prescription. Section 1012.98(10), F.S.
72 Section 1012.98(4)(b)1., F.S.
73 Section 1012.98(4)(a)1., F.S.
74 Section 1012.98(7)(a), F.S.
75 Section 1012.98(7)(b), F.S.
77 Section 1012.05(2)(k), F.S.
increasing rigorous and relevant content, increasing student achievement and engagement, meeting identified student needs, and providing effective mentorship activities to new teachers and training to teacher mentors. The PD programs must include a database of exemplary PD activities, a listing of available PD resources, training programs, and available technical assistance. 78

Professional Development Funding

The Every Student Succeeds Act (ESSA) of 2015 79 provides grants to state educational agencies and subgrants to local educational agencies to increase student achievement and improve the quality of teachers and school leaders. 80 Allowable expenses include teacher and school leader training, induction and mentoring, PD, and retention. 81

For 2019-2020, school districts received $97,203,418 in ESSA funds. 82 Amounts per district ranged from $4,389 for the FAMU Developmental Research School and $9,087 for Liberty County to $8,954,195 for Broward County and $12,911,792 for Miami-Dade County. 83

Current state funding 84 for administrator and teacher professional development includes:

- $7,000,000 for administrator professional development provided by regional professional development academies. 85
- $10,000,000 for computer science certification and teacher bonuses. 86
- $5,500,000 for mental health awareness and assistance training. 87
- A percentage of the Florida Education Finance Program base student allocation per full-time equivalent student or other funds must be expended for educational training programs, as determined by the district school board. 88

Each district school board is required to fund its PD system, and must direct expenditures from other funding sources to continuously strengthen the system in order to increase student achievement and support instructional staff in enhancing rigor and relevance in the classroom. 89

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78 Section 1012.98(11), F.S. 
83 Email from Mari Presley, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education (Aug. 6, 2019) (on file with the Senate Committee on Education). 
84 Specific Appropriation 108, s. 2, ch. 2019-115, L.O.F. 
85 Id., see also 1012.985, F.S. 
86 Specific Appropriation 108, s. 2, ch. 2019-115, L.O.F. See also s. 1007.2616(4), F.S. 
87 Specific Appropriation 108, s. 2, ch. 2019-115, L.O.F. See also s. 1012.584, F.S. 
88 Section 1011.62(3), F.S. 
89 Section 1012.98(5), F.S.
Issues in Professional Development

Providing teachers with data-driven feedback, aligned professional development and opportunities for advancement may help limit attrition, contribute to more effective teaching and improve student learning. However, national research shows that much of the professional development teachers currently receive does not improve either teacher or student performance. A 2016 national survey found that even though district and school leaders are committed to professional learning, teachers lack decision-making authority over their own professional development and are not receiving adequate time for job-embedded professional development. In a recent PD redesign study, the University of Florida Lastinger Center found that:

- Sixty-four percent of Florida teachers reported having little to no influence in determining the content of their in-service professional development programs.
- Teachers describe a serious disconnect between professional learning experiences and the real work of teachers.
- Only 26 percent of Florida teachers strongly agreed that their training helps them to do a better job.
- School districts spend as much as five percent of their budget on professional development and teachers may spend more than 70 hours a year participating in it, yet professional learning opportunities often receive low teacher ratings because of poor design and execution.

Effect of Proposed Changes

The bill modifies the requirements for school district professional development in s. 1012.98, F.S.

Professional Development Funds

The bill requires each district school board to calculate a proportionate share of professional development funds for each classroom teacher and allow each classroom teacher to use up to 25 percent of the proportionate share on professional development that addresses the academic needs of students or an identified area of professional growth for the classroom teacher. The DOE must identify professional development opportunities that require the classroom teacher to demonstrate proficiency in a specific classroom practice.

Professional Development Calendar

The bill requires the DOE, by August 1, 2020, to develop a model annual and 5-year calendar that incorporates all state-required professional development. In addition, the bill requires each school district, no later than January 1, 2021, to develop an annual and a 5-year calendar of professional development for inclusion in the professional development system approved by the DOE.

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Teacher Choice in Professional Development

The bill requires the DOE to develop and maintain a statewide registry of approved PD providers and PD activities. The bill specifies that any PD provider seeking to be added to the registry must complete an application, which must describe the PD activities and instructor qualifications, require providers maintain specified information about the PD instruction, and ensure compliance with law and PD standards.

The bill stipulates that providers specified in law, as well as providers approved by authorized entities, are not required to be added to the registry. However, such providers that wish to offer statewide PD opportunities may seek department approval and be added to the registry.

The bill requires the DOE to review applications and inform the provider in writing within 90 days of the approval or denial of the provider. The approval is valid for a period not to exceed five years, after which the provider must reapply. In addition, the bill requires:

- Each school district accept an approved PD activity on the registry toward meeting the requirements for renewal of a professional certificate.
- The DOE to determine the number of inservice hours to be awarded for completion of each specified PD activity.

The bill creates a three-year Professional Development Choice Pilot Program (pilot program) in the DOE, subject to legislative appropriation. The purpose of the pilot program is to provide grants to eligible teachers to select professional learning opportunities that best meet each teacher’s individual needs. The bill specifies pilot program requirements for teachers, as follows:

- An eligible teacher may use a pilot program grant for PD approved by a school district or by a DOE-approved provider that is aligned to PD standards and satisfies requirements for renewal of a professional certificate. An eligible teacher must:
  - Hold a professional certificate.
  - Be employed as a classroom teacher, as defined in law, excluding substitute teachers, by a district school board or by a charter school.
  - Apply for a grant in a format determined by the DOE. In addition, the application must require an applicant to describe how the professional development activity relates to and will improve instruction in the classroom.
- Pilot program activities may include, but are not limited to, in-person or online training; travel and registration for conferences or workshops; college credit courses; and district professional development certification and education competency programs.
- Each eligible teacher may receive a once-a-year reimbursement for training, not to exceed $500 per school year. The pilot program grants must be awarded on a first-come, first-served basis.

The bill also establishes requirements for each school district and for the DOE, which specifies that:

- Each school district must review a proposed PD activity to determine alignment with district and individual professional development plans and determine the number of inservice credit hours to be awarded, and approve any PD opportunity included on the DOE’s registry.

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92 Providers not required to be registered are the DOE, public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations. Section 1012.98(1), F.S.
• The DOE must maintain a registry of approved providers and PD activities, and establish, no later than August 1, 2020, a grant application form.

The pilot program appears to be consistent with the President’s education budget for the 2020 fiscal year, which proposes eliminating the Supporting Effective Instruction State Grants program that provides formula grants to states and local education agencies to increase student achievement, primarily through professional development for teachers and class-size reduction. According to the budget summary, the program is largely duplicative; virtually all other Elementary and Secondary Education Act formula grant funds (e.g., Title I, Title III) may be used for teacher or staff professional development.

The modifications to school district PD systems and the provision of additional resources may improve teacher access to additional high-quality PD opportunities.

Professional Education Excellence Resources (PEER) Pilot Program

The bill creates s. 1012.981, F.S., to establish the Professional Education Excellence Resources (PEER) Pilot Program in the DOE to provide school district flexibility to increase opportunities for professional learning, collaboration with teachers and leaders, and teacher leadership. The program is established only to the extent specifically funded and authorized by law, and participation in the PEER Pilot program is limited to Clay, Palm Beach, Pinellas, and Walton Counties.

The bill specifies that school districts that participate in the PEER Pilot Program may:
• Extend the contract day or the contract year, or both, for participating teachers for PD, collaboration with colleagues, or instructional coaching. The bill requires a district that chooses to extend the contract day or year must, before the start of the 2020-2021 school year, negotiate with the certified collective bargaining unit for instructional personnel a memorandum of understanding to address participation requirements.
• Use program funds to:
  o Compensate teachers who are assigned to an extended school day or school year.
  o Hire additional instructional personnel to provide teachers with additional planning periods or other release time to complete PD, collaborate with colleagues, or perform other appropriate activities.
  o Provide content area specialists to provide support for teachers’ individual needs and professional growth.
  o Provide instructional coaches for participating teachers.
  o Provide PD opportunities.

The bill requires participating school districts to collaborate with the DOE, postsecondary educational institutions, regional education consortia, the University of Florida Lastinger Center, or other appropriate organizations to develop high-quality online PD opportunities accessible to instructional personnel statewide.

93 The program was appropriated approximately $2 billion in the 2019 fiscal year.
The bill also authorizes participating school districts to use program funds to establish a master teacher program to provide accomplished teachers the opportunity to innovate and improve classroom practices, facilitate improved PD, and improve instructional quality through collaboration with teachers and leaders. The bill specifies that each master teacher program must include, but is not limited to:

- Providing release time for planning and meeting with teachers and leaders.
- Additional PD opportunities.
- Monetary compensation.

The bill specifies that school districts may select highly effective teachers for the master teacher academy and may determine other selection criteria, such as peer reviews, principal recommendation, candidate interviews, or content expertise.

Each participating school district must collaborate with the department and with the University of Florida Lastinger Center to develop a master teacher academy to support instructional personnel statewide. The master teacher academy must provide recommendations for master teacher programs, create a bank of online PD, and provide instructional coaching for school-based leaders.

The bill establishes reporting requirements for school districts participating in the PEER Pilot Program. Each participant must annually, by August 1, report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the DOE on the performance of the pilot program. Each report must include information about the use of program funds, the impact on student achievement and teacher evaluation, satisfaction survey results, and recommendations for continuation of the pilot program.

Teachers in school districts that establish a PEER program may have additional options for PD and may be provided opportunities to provide support for school district teachers and curricula as a teacher leader, without leaving the classroom.

**Private Education Choice**

*Present Situation*

Many states are expanding school choice options to include private schools in addition to public schools. In total, 27 states and the District of Columbia have enacted policies designed to broaden access to a private education. The three primary policies states have adopted that expand private school choices include:95

- School vouchers.
- Scholarship tax credits.
- Education savings accounts.

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95 School vouchers are state-funded scholarships that pay for students to attend private school rather than public school. Scholarship tax credits allow individuals and corporations to allocate a portion of their owed state taxes to private nonprofit scholarship organizations that issue public and private school scholarships to K-12 students. Education Savings Accounts are state-funded grants deposited into special savings accounts from which parents can withdraw funds for certain educational expenses. National Conference of State Legislatures, *Private School Choice* [http://www.ncsl.org/research/education/private-school-choice635174504.aspx](http://www.ncsl.org/research/education/private-school-choice635174504.aspx) (last visited Dec. 18, 2019).
Private Education Choice in Florida

A private school in Florida is an individual, association, co-partnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade and is below college level. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. A home education program is not considered a private school.  

Florida offers multiple private education choice scholarship programs for students who meet the eligibility requirements. In order to participate in Florida’s state school choice scholarship program, private schools must comply with specified requirements.  

Two of Florida’s scholarship programs are focused on students from low income families:  
- Florida Tax Credit (FTC) Scholarship Program.  
- Family Empowerment Scholarship (FES).  

Florida Tax Credit Scholarship Program

The FTC Scholarship Program allows for private, voluntary contributions from corporate donors to non-profit scholarship funding organizations (SFOs) that award scholarships to eligible children from low-income families. State law requires the SFO’s to use the contributions received to provide scholarships to eligible students for the cost of private school tuition or transportation to public school in which the student is enrolled that is different from the school to which the student was assigned.

To be eligible for an FTC scholarship a student must meet one or more of the following criteria:  
- The student is on the direct certification list or the student’s household income level does not exceed 185 percent of the federal poverty level.  
- The student is currently placed, or during the previous state fiscal year was placed, in foster care or in out-of-home care as defined in law.  
- The student’s household income level is greater than 185 percent of the federal poverty level but does not exceed 260 percent of the federal poverty level.

A student who initially receives a scholarship as a result of being placed in foster care or in out-of-home care remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s household income level. A student who initially received a scholarship based on income eligibility before the 2019-2020 school year remains eligible to participate until he or she graduates from high school, attains the age of 21 years, or the student’s household income level exceeds 260 percent of the federal poverty level, whichever occurs first. A sibling of a student who is participating in the

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96 Section 1002.01(2), F.S.  
97 Section 1002.421(1), F.S.  
98 Section 1002.395(8)(a), F.S.  
99 The program include credits against the insurance premium tax for contributions to eligible non-profit SFOs, credits against severance taxes on oil and gas production, self-accrued sales tax liabilities of direct pay permit holders, and alcoholic beverage taxes on beer, wine, and spirits. Section 1002.395(6)(d), F.S.
scholarship program is eligible for a scholarship if the student resides in the same household as the sibling.  

A student is not eligible for a scholarship while he or she is enrolled in a Department of Juvenile Justice program; receiving another state educational scholarship; or enrolled in a home education, private tutoring, virtual, correspondence, distance learning program; or enrolled in the Florida School for the Deaf and the Blind.  

During the 2018-19 school year, FTC scholarships in the amount of $644.6 million were awarded to a total of 104,091 students enrolled in 1,825 participating Florida private schools.  

More than 109,000 FTC scholarships have been awarded for the 2019-2020 school year.  

**Family Empowerment Scholarship Program**  
Beginning in the 2019-20 school year, the FES Program provides educational options to eligible children of families with limited financial resources. A student who receives a scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s household income level. Similar to the McKay Scholarship, the FES is funded through the Florida Education Finance Program (FEFP). The program is capped at 18,000 students for the 2019-2020 school year and can annually increase by 0.25 percent of the state’s total public school student enrollment.  

To be eligible for an FES, a student must meet the following criteria:  

- The student is:  
  - On the direct certification list pursuant to law or the student’s household income level does not exceed 300 percent of the federal poverty level; or  
  - Currently placed, or during the previous fiscal year was placed, in foster care or in out-of-home care as defined in law.  

- The student is eligible to enroll in kindergarten or has spent the prior school year in attendance at a Florida public school. However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent’s permanent change of station orders or a foster child is exempt from the prior public school attendance requirement.  

- The parent has obtained acceptance for admission of the student to a private school that is eligible for the program and the parent has requested a scholarship from the Department of Education at least 60 days before the date of the first scholarship payment.  

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100 Section 1002.395(3), F.S. 
101 Section 1002.395(4), F.S. 
103 Email from Amy Graham, Senior Policy Director, Step Up For Students, (Jan. 9, 2020) (on file with the Senate Committee on Education), Email from Patti Froebel, Controller, AAA Scholarship Foundation, (Dec. 18, 2019) (on file with Committee on Education).  
104 Section 1002.394(1), F.S. 
105 Section 1002.394(11)(b), F.S. 
106 Section 1002.394(3), F.S.
Priority is given to students whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care. A sibling of a student who is participating in the scholarship program under this subsection is eligible for a scholarship if the student resides in the same household as the sibling.\(^{107}\)

A student is not eligible for an FES while he or she is: \(^{108}\)

- Enrolled in a public school including the Florida School for the Deaf and Blind, College-Prep Boarding Academy, a developmental research school, or a charter school;
- Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;
- Receiving any other educational scholarship pursuant to Florida law;
- Participating in a home education program;
- Participating in a private tutoring program; or
- Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student’s participation.

As of December, 2019, 17,795 FES scholarships were awarded to students for the 2019-2020 school year.\(^{109}\)

**FTE Funding Limits in the FEFP**

For purposes of the FEFP, all FTE student (course) enrollment is capped for funding at 1.0 FTE per student for the year except FTE reported by DJJ students beyond the 180-day school year. School districts report all FTE enrollment, and the department combines all FTE enrollment reported for the student by all school districts, including Florida Virtual School. The department then recalibrates all reported FTE student enrollment for each student to 1.0 FTE if the total reported FTE exceeds 1.0. This 1.0 FTE funding limit currently applies to the FES but not to the McKay Scholarship.\(^{110}\)

**Effect of Proposed Changes**

The bill modifies the eligibility and funding requirements of the FES and the FTC scholarship programs.

**Scholarship Eligibility and Alignment**

The bill expands scholarship eligibility for the FES to include a student who received an FTC scholarship in the prior year and was in a public school the year prior to initial receipt of the FTC scholarship. The bill also aligns the FES and FTC scholarship eligibility in the following ways:

- Allows an FES scholarship student to participate in no more than two courses from a virtual school, correspondence school, or distance learning program that receives state funding. In

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\(^{107}\) Section 1002.394(3), F.S.

\(^{108}\) Section 1002.394(5), F.S.

\(^{109}\) Includes the school districts for 65 counties, four lab school districts, and the Florida School for the Deaf & the Blind. Email from Jared Ochs, Director of Legislative Affairs, Department of Education, (Jan. 2, 2020) (on file with the Senate Committee on Education).

\(^{110}\) Section 1011.61(4)(a), F.S.
addition to the FTC Scholarship Program\textsuperscript{111}, the John M. McKay Scholarship for Students with Disabilities Program (McKay scholarship)\textsuperscript{112} and the Hope Scholarship Program\textsuperscript{113} have similar provisions. Allowing FES students to annually take up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding, may provide more flexibility for students to meet their educational goals.

- Modifies the FTC so that a student who receives an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s income level.

**Scholarship Funding**

The bill specifies that, beginning in the 2020-2021 school year, the maximum number of students participating in the FES must annually increase by 1 percent, rather than 0.25 percent.

The bill also adds a provision that the FES is not subject to the maximum value of one FTE for funding a student which aligns the FES scholarship to the McKay scholarship, which is also funded through the FEFP.

**Florida Standardized Statewide Assessments**

**Present Situation**

**Every Student Succeeds Act**

The Every Student Succeeds Act (ESSA)\textsuperscript{114} is a federal law reauthorizing and substantially revising the Elementary and Secondary Education Act of 1965 (ESEA). The ESSA is the successor to the No Child Left Behind Act of 2001 (NCLB).\textsuperscript{115} Like its predecessors NCLB and ESEA, the goal of the ESSA is to improve elementary and secondary education in public schools by conditioning the receipt of federal funds on the implementation of federal requirements.

Each state is required to submit a plan that demonstrates that the state educational agency, in consultation with local educational agencies, has implemented a set of high-quality, yearly student academic assessments that include, at a minimum, academic assessments in mathematics, reading or language arts, and science,\textsuperscript{116} and must:\textsuperscript{117}

- Be the same academic assessments used to measure the achievement of all children.
- Be aligned with a state’s challenging academic content and student academic achievement standards, and provide coherent information about student attainment of such standards.

The assessments must be administered annually as follows:\textsuperscript{118}

- Reading or language arts and mathematics must be administered:

\begin{itemize}
  \item Section 1002.395(4)(f), F.S.
  \item Section 1002.39(3)(f), F.S.
  \item Section 1002.40(4)(c), F.S.
  \item 20 U.S.C. 6311, s. 1111(b)(3)(A)
  \item 20 U.S.C. 6311, s. 1111(b)(3)(C)
  \item 34 C.F.R., s. 200.5. A state must administer an English language proficiency assessment to all English learners in schools served by the State in all grades in which there are English learners, kindergarten through grade 12. Any other subject area assessments are administrated at the state’s discretion. \textit{Id.}
In each of grades 3 through 8; and
- At least once in grades 9 through 12.
- Science assessments must be administered in each of:
  - Grades 3 through 5;
  - Grades 6 through 9; and
  - Grades 10 through 12.

Exceptions\textsuperscript{119} to the requirement in the ESSA that state assessments be the same assessments used to measure the achievement of all students include:
- Advanced eighth grade mathematics assessments.\textsuperscript{120}
- Alternate assessments aligned with alternate academic standards.\textsuperscript{121}
- Innovative assessments.\textsuperscript{122}
- Locally selected, nationally recognized high school academic assessments.\textsuperscript{123}

A local education agency is authorized under the ESSA to administer a locally selected assessment in lieu of the statewide, standardized high school ELA, math, or science assessments.\textsuperscript{124} However, any such assessment must:\textsuperscript{125}
- Be approved by the state.
- Be nationally recognized.\textsuperscript{126}
- Be aligned to the state’s academic standards, and address the depth and breadth of such standards.
- Be equivalent in its content coverage, difficulty, and quality to the state assessments.
- Provide comparable, valid, and reliable data on academic achievement, as compared to the state assessment, for all students and for each subgroup of students, with results expressed in terms consistent with the state’s academic achievement standards.
- Meet the same technical requirements as the state assessments.
- Provide unbiased, rational, and consistent differentiation between schools within the state in order to meet the requirements of the state accountability system.

In 2019-20, eight states used the SAT to meet ESSA’s high school testing requirement in math and English language arts. Eleven states used the ACT as a federal accountability test at the high school level. Five states allowed districts to choose between the two exams.\textsuperscript{127}

\textsuperscript{119} 34 C.F.R., s. 200.2(b)(1)(i).
\textsuperscript{120} 24 C.F.R., s. 200.5(b).
\textsuperscript{121} 34 C.F.R., s. 200.6(c).
\textsuperscript{123} 34 C.F.R., s. 200.3. “Nationally recognized high school academic assessment” means an assessment of high school students’ knowledge and skills that is administered in multiple states and is recognized by institutions of higher education in those or other states for the purposes of entrance or placement into courses in postsecondary education or training programs. 34 CFR 200.3(d)
\textsuperscript{124} See 20 U.S.C. s. 6311(b)(2)(H).
\textsuperscript{125} 20 U.S.C. s. 6311(b)(2)(H)(i)-(v).
\textsuperscript{126} Supra, note 123.
Florida’s Statewide, Standardized Assessments

Florida’s statewide, standardized assessments measure the extent to which students have mastered the Next Generation Sunshine State Standards. The requirements for students in Florida are as follows:

<table>
<thead>
<tr>
<th>Standards</th>
<th>Assessment</th>
<th>Assessment Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida Standards Assessments (FSA)</td>
<td>English Language Arts (ELA)</td>
<td>Grades 3 through 10</td>
</tr>
<tr>
<td></td>
<td>Mathematics</td>
<td>Grades 3 through 8</td>
</tr>
<tr>
<td></td>
<td>Algebra I EOC</td>
<td>Upon completion of applicable course identified in the CCD</td>
</tr>
<tr>
<td></td>
<td>Geometry EOC</td>
<td></td>
</tr>
<tr>
<td>Next Generation Sunshine State Standards</td>
<td>Science</td>
<td>Grades 5 and 8</td>
</tr>
<tr>
<td></td>
<td>Biology I EOC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Civics EOC</td>
<td>Upon completion of applicable course identified in the CCD</td>
</tr>
<tr>
<td></td>
<td>U.S. History EOC</td>
<td></td>
</tr>
</tbody>
</table>

Effect of Proposed Changes

Beginning in the 2020-2021 school year, the bill requires each school district to provide for the administration of either the SAT or ACT for each public school student in grade 11 in the district, including students attending public high schools, alternative schools, and centers of the Department of Juvenile Justice. The bill specifies that funding for the provision of the SAT or ACT will be as provided in the General Appropriations Act (GAA).

Incentive Funding for Acceleration Programs

Present Situation

Florida Education Finance Program (FEFP)

The Florida Education Finance Program (FEFP) is the primary mechanism for funding the operating costs of Florida school districts. Under the FEFP, financial support for education is based on the full-time equivalent (FTE) student membership in public schools. The number of FTE students in each of the funded education programs is multiplied by cost factors relative to each program to obtain weighted FTE student values. The base student allocation from state funding for Florida school districts is as follows:

128 Section 1008.22(3), F.S.
130 Beginning in 2014-15, assessments aligned to the Florida Standards replaced assessments aligned to the Next Generation Sunshine State Standards in mathematics and English language arts (formerly reading and writing). The NGSSS Algebra 1 and Geometry assessments were replaced by Florida Standards Assessments (FSA) in these subjects. Florida Department of Education, End-of-Course Assessments, http://fldoe.org/accountability/assessments/k-12-student-assessment/end-of-course-eoc-assessments/ (last visited Feb. 18, 2020)
131 Section 1011.62, F.S.
132 Program cost factors are based on desired relative cost differences between the following programs as established in the annual General Appropriations Act: grades K-3; 4-8; 9-12; two program cost factors for exceptional students; secondary career education programs; and English for Speakers of Other Languages. Section 1011.62(1)(c), F.S.
and local funds is determined annually by the Legislature in the GAA and is a component in the calculation of each school district’s base funding. In addition to the base funding, the Legislature may appropriate categorical funding for specified programs, activities or purposes, such as for mental health assistance, and funding compression.

Dual Enrollment and Collegiate High School Programs

The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. An eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public school or in a Florida private school that is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.4282. The following table shows 2018-2019 academic year dual enrollment participation by public and private school and home education program students at Florida College System (FCS) institutions, state universities, and at eligible private colleges and universities.

<table>
<thead>
<tr>
<th></th>
<th>FCS Institutions</th>
<th>State Universities</th>
<th>Private Colleges and Universities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public School</td>
<td>73,408</td>
<td>9,250</td>
<td>6,908</td>
</tr>
<tr>
<td>Private School</td>
<td>2,607</td>
<td>688</td>
<td></td>
</tr>
<tr>
<td>Home Education</td>
<td>3,818</td>
<td>113</td>
<td></td>
</tr>
</tbody>
</table>

Collegiate high school programs are intended to provide an option for public school students in grade 11 or grade 12 participating in the program, for at least 1 full school year, to earn CAPE industry certifications and to successfully complete 30 credit hours through the dual enrollment program toward the first year of college for an associate degree or baccalaureate degree while enrolled in the program. Each Florida College System institution is required to work with each district school board in its designated service area to establish one or more collegiate high school programs. In fall 2018, there were 11,146 students enrolled in a collegiate high school or collegiate high school program.

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135 Section 1011.62(6) F.S.
136 Section 1007.271(1) and (2), F.S.
137 Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Jan. 8, 2020) (on file with the Senate Committee on Education).
138 Email from Jason Jones, Chief Data Officer, Florida Board of Governors (Jan. 3, 2020) (on file with the Senate Committee on Education).
139 Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Jan. 8, 2020) (on file with the Senate Committee on Education).
140 Section 1007.273(1) and (2), F.S.
141 Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Jan. 8, 2020) (on file with the Senate Committee on Education).
Incentive Funding for Acceleration Programs

Dual enrollment and collegiate high school program funding for public schools is included in the calculation of FTE students within the FEFP.\textsuperscript{142} There is no provision in law to allow for additional performance funding for students earning dual enrollment credit.

The FEFP provides a funding incentive for school districts with students in Advanced Placement (AP), International Baccalaureate (IB), and Advanced International Certificate of Education (AICE) courses who successfully complete AP, IB, and AICE examinations or earn an IB or AICE diploma.\textsuperscript{143} The additional FTE is calculated as follows:

- A value of 0.16 FTE student membership is calculated for each student in each AP course who receives a score of 3 or higher on the College Board AP examination.\textsuperscript{144}
- A value of 0.16 FTE student membership is calculated for each student enrolled in an IB course who receives a score of 4 or higher on a subject examination. A value of 0.3 FTE student membership is calculated for each student who receives an IB diploma.\textsuperscript{145}
- A value of 0.16 FTE student membership is calculated for each student enrolled in a full-credit AICE course, and 0.08 FTE student membership for each student enrolled in a half-credit AICE course, for each student who receives a score of E or higher on a subject examination. A value of 0.3 FTE student membership is calculated for each student who receives an AICE diploma.\textsuperscript{146}

In addition, classroom teachers may receive bonus funds for the performance of their students on AP, IB, and AICE examinations. School districts must use the additional FTE funds for purposes specified in law.\textsuperscript{147}

Effect of Proposed Changes

The bill adds new provisions for FEFP funding for students enrolled in dual enrollment courses and collegiate high school programs that are similar to FTE student membership incentives districts earn for students who complete of AP, IB, and AICE examinations. Specifically, for the 2020-2021 school year and thereafter, the bill:

- Provides bonus FTE funding to public school districts for any student who completes a general education core course through dual enrollment with an earned grade of “B” or better. Specifically:
  - Students enrolled in a collegiate high school program pursuant to s. 1007.273, F.S., generate a 0.16 FTE student membership bonus.
  - Students not enrolled in a collegiate high school program pursuant to s. 1007.273, F.S., generate a 0.08 FTE student membership bonus.

\textsuperscript{143} Section 1011.62, F.S. Accelerated mechanisms include, but are not limited to, dual enrollment and early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. Section 1007.27(1), F.S.
\textsuperscript{144} Section 1011.62(1)(n), F.S.
\textsuperscript{145} Section 1011.62(1)(l), F.S.
\textsuperscript{146} Section 1011.62(1)(m), F.S.
\textsuperscript{147} Section 1011.62(1)(l)-(n), F.S.
- Provides bonus FTE funding for each associate degree earned through the dual enrollment program with 3.0 GPA or better. Students earning an associate degree with the required GPA generate a 0.3 FTE student membership bonus. Courses taken prior to 2020-2021 may be included in the associate degree for purposes of the bonus.
- Specifies that bonus funding will be added to the total FTE student membership in basic programs for grades 9-12 in the subsequent fiscal year and requires school districts to allocate at least 50 percent of the bonus funds to the schools that generated the funds to support academic guidance and postsecondary readiness.

**Florida Charter Schools**

**Present Situation**

Charter schools are public schools that operate under a performance contract (charter), which frees them from many regulations created for traditional public schools while holding them accountable for academic and financial results. The charter between the charter school governing board and the charter school sponsor details the school’s mission, program, goals, students served, methods of assessment, and ways to measure success.

A district school board may sponsor a charter school in the county in which the district school board has jurisdiction. Additionally, a state university may grant a charter to a developmental research (laboratory) school.

In the 2018-2019 school year, over 313,000 students were enrolled in 658 charter schools in 47 Florida school districts.

**Charter School Applications**

An application for a new charter school may be made by an individual, a teacher, a parent, a group of individuals, a municipality, or a legal entity organized under the laws of this state.

A sponsor receives and reviews all charter school applications and must, within 90 calendar days of receipt, approve or deny the application by majority vote. Charter applicants are required to prepare and submit an application on a standard form prepared by the Department of Education (DOE), which application contains information a sponsor may require and information specified in law.

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148 Section 1002.33(5)(a), F.S.
149 Section 1002.33(7), F.S.
151 Section 1002.33(5)(a)1., F.S.
152 Section 1002.32, F.S. Such school must be considered a charter lab school. Section 1002.33(5)(a)2., F.S.
154 Section 1002.33(3)(a), F.S.
155 Section 1002.33(6)(b), F.S.
156 Section 1002.33(6)(b)3.a., F.S.
157 Section 1002.33(6)(a), F.S. Charter school applications are incorporated into State Board of Education Rule 6A-6.0786, F.A.C.
A sponsor must receive and consider charter school applications received on or before February 1 of each year in order for charter schools to be opened 18 months later at the beginning of the school district’s school year, or to be opened at a time determined by the applicant. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment.\textsuperscript{158}

**Charter School Students**

A charter school may be exempt from specific enrollment requirements if the school is open to any student covered in an inter-district agreement and any student residing in the school district in which the charter school is located.\textsuperscript{159} A charter school may limit the enrollment process only to target the following student populations:\textsuperscript{160}

- Students within specific age groups or grade levels.
- Students considered at risk of dropping out of school or academic failure.
- Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality.\textsuperscript{161}
- Students residing within a reasonable distance of the charter school.
- Students who meet established academic, artistic, or other eligibility standards.
- Students articulating from one charter school to another.
- Students living in a development in which a business entity provides the school facility and related property having an appraised value of at least $5 million to be used as a charter school to mitigate the educational impact created by the development of new residential dwelling units. Students living in the development are entitled to no more than 50 percent of the student stations in the charter school.

**Effect of Proposed Changes**

**Charter School Applications**

The bill removes the specified date by which charter school applications must be submitted and received each calendar year in order for the school to be opened the next year and prohibits a sponsor from refusing to receive a charter school application submitted any time during the calendar year. The bill also allows a charter school to be opened at a time determined by the applicant, such that the agreement of the sponsor is no longer required.

**Charter School Students**

The bill expands criteria by which a charter school may target enrollment for students living in a specified development. The bill expands the contributing entities to include a developer, including any affiliated business entity or charitable foundation. In addition, the bill expands the contributions to development of a charter school to include, in addition to provision of a school facility, contributions to the formation, acquisition, construction, or operation of one or more

\textsuperscript{158} Section 1002.33(6)(b), F.S. A sponsor may receive and consider applications after February 1, if it chooses. \textit{Id.}

\textsuperscript{159} Section 1002.33(10)(a), F.S.

\textsuperscript{160} Section 1002.33(10)(e), F.S.

\textsuperscript{161} Section 1002.33(15), F.S.
charter schools or charter school facilities and related property in an amount equal to or having a total appraised value of at least $5 million. The bill may expand the number of developments in which students living in such development may be entitled to 50 percent of the student stations in the charter school.

Pathways in Technology Early College High School (P-TECH)

Present Situation

P-TECH, co-developed by the IBM Corporation, is an approach to education that blends high school, community college and workplace skills. P-TECH schools are primarily public schools, governed and supported by the local school district, although there are some examples of similar charter schools. P-TECH is designed to help close the achievement gap among underserved youth. Within six years of enrolling in ninth grade, students graduate with their high school diplomas, no-cost associate degrees and applicable credentials, and participate in workplace learning opportunities.

P-TECH schools are defined by a set of six key tenets:

- Public-private partnership;
- Six year integrated program;
- Workplace learning including internships;
- Open enrollment with no grade or testing requirements;
- Cost-free; and
- First in-line for job openings with industry partners.

The P-TECH model has spread to 200 schools in 23 countries and 8 states, serving 100,000 students since its founding in 2011. The P-TECH programs currently in operation have developed 12 different pathways based on regional workforce demand, including:

- Construction technology;
- Process technology;
- Cybersecurity;
- Business;
- Mechanical engineering;
- Energy management;
- Healthcare;
- Advanced manufacturing;
- Machining;

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164 Id.
167 Id.
• Early childhood education;
• Computer science; and
• Networking technology.

Effect of Proposed Changes

To determine the feasibility of implementing the P-TECH program, or a similar program, in Florida, the bill requires the Commissioner of Education to submit a report by December 1, 2020, to the Governor, Senate President, Speaker of the House, BOG, and the SBE, with recommendations addressing the feasibility of implementing in Florida.

The bill requires the P-TECH program, or a similar program, to achieve the following:
• Incorporate secondary and postsecondary education with workforce education and work experience in a flexible 6-year integrated model.
• Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience, within 6 years after enrolling in the 9th grade.
• Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.
• Support student success through flexible class scheduling, advising and mentoring, and other wrap-around services.
• Provide seamless articulation to Florida’s postsecondary institutions.

The commissioner’s report must, at a minimum, include the following:
• Timelines for implementing a P-TECH program, or similar program, including courses of study which support completion in 4 to 6 years and which meet regional workforce demand.
• A funding model that provides the P-TECH program, or similar program, at no cost to students and may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.
• Partnerships with industries and businesses, including private investment, work-based job training, internships, and priority placement for job opportunities after graduation.
• Recommendations for modifications, if any, to the school and school district accountability requirements.169

The bill provides that this section relating to the P-TECH program and report will be effective upon becoming law and expire on December 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

169 Section 1008.34, F.S.
C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Educator Certification
Persons seeking an educator certificate who demonstrate subject area knowledge by a specified baccalaureate degree from an approved institution may not have to take a subject area examination, and so would not have to pay the fee for such exam.

Private Education Choice
Expanding Family Empowerment Scholarship (FES) eligibility as provided for in the bill to a student who received a Florida Tax Credit (FTC) scholarship will provide more flexibility for families and increase eligibility for the programs, potentially reducing costs for students and families.

Allowing FES students to annually take up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding, may provide more flexibility for students to meet their educational goals.

Dual Enrollment Incentives
The financial supports for the dual enrollment and early college programs may increase opportunities for Florida secondary students to take college-credit courses that will count toward an associate or baccalaureate degree while still in high school, which may reduce costs for students and families.

C. Government Sector Impact:

Educator Certification
If individuals demonstrate mastery of subject area competence through a specified bachelor’s degree as authorized in the bill rather than by a subject area examination, the Department of Education may experience decreased revenue from the loss of subject area examination fees. Such fees are deposited into the Educational Certification and Services...
Trust Fund and are used for the payment of expenses incurred by the Educational Practices Commission and in the printing of forms and bulletins and the issuing of certificates. The number of individuals who may demonstrate subject area competence under this additional option is not known.

Professional Development
The Department of Education (DOE) may incur costs related to developing model annual and 5-year calendars that incorporate all state-required professional development. In addition, the DOE may incur costs to develop and maintain a statewide registry of approved professional development providers and activities.

The implementation of the Professional Development Choice Pilot Program is subject to legislative appropriation and the Professional Education Excellence Resources (PEER) Pilot Program shall be implemented to the extent specifically funded and authorized by law.

Private Education Choice
Increasing the allowable annual growth for student participation in the FES from .25% of total public school enrollment to 1.0%, will increase the FTE and funding needed for the FEFP. The annual growth in maximum student participation will increase from approximately 7,000 to 28,000 students (over and above the current 18,000).

Expanding the FES eligibility to include a student who received a FTC scholarship after being enrolled in a public school the prior year may increase the need for additional state funds. Students who move from the FTC scholarship to the FES, would be added to the FTE count and funding for the FEFP. It is unknown at this time how many students would meet the requirements to be reclassified between the two scholarships.

Exempting the FES scholarship amount from the 1.0 FTE requirement has the potential to increase the FTE used in the FEFP funding calculation, thus having a state fiscal impact.

Dual Enrollment Incentive
Beginning in the 2021-2022 fiscal year, the bill may reallocate funds within the FEFP to those school districts with relatively more students successfully completing dual enrollment coursework; however, an additional appropriation is not required.

VI. Technical Deficiencies:
None.

VII. Related Issues:
None.
VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.33, 1002.394, 1002.395, 1004.04, 1004.85, 1008.22, 1011.61, 1012.56, 1012.585, 1012.586, 1012.79, and 1012.98.

This bill creates s. 1012.981 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Education on February 25, 2020:

The committee substitute maintains the provisions in the bill relating to:

• Admissions, core curricula, and instructional requirements for initial teacher preparation (ITP) and educator preparation institute (EPI) programs.
• Modifications to educator certification requirements to demonstrate mastery of subject area competence and limit application of inservice points not related to student learning or professional growth.
• Authorization for the Commissioner of Education to select and remove the Education Practices Commission executive director, and establish the duties of the executive director.
• Modifications to school district professional development (PD) systems and the creation of new PD opportunities.
• Modifications to eligibility requirements for the Family Empowerment Scholarship (FES) and the Florida Tax Credit (FTC) scholarship.

The committee substitute also adds provisions relating to charter schools, annual growth of the Family Empowerment Scholarship (FES), national assessments, dual enrollment bonus funding, the PEER pilot program, and workforce education, which:

• Modifies the charter school application process and enrollment limitations by:
  o Requiring a sponsor to receive and consider a charter school application submitted at any time during the calendar year.
  o Modifying enrollment limitations to prioritize a developer and charitable foundation that perform specified actions.
• Modifies the growth of the FES to authorize an annual increase of 1.0 percent of the state public school enrollment (rather than 0.25 percent) starting in 2020-2021.
• Providing that a student eligible for an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s income level.
• Requires school districts to provide for the administration of the SAT or ACT to all students in grade 11, beginning in 2020-2021; with funding as provided in the GAA.
• Establishes a series of school district FTE bonus for completion of general education core courses with a grade of “B” or higher through dual enrollment, and completion of an associate degree through dual enrollment.
• Expands the Professional Education Excellence Resources (PEER) Pilot Program to include Palm Beach County.
• Requires the Commissioner to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

CS by Education on January 21, 2020:
The committee substitute maintains the provisions in the bill, which include
• Modifying initial teacher preparation (ITP) program core curricula relating to reading instructional strategies and adds a new requirement for mental health strategies and support.
• Changing ITP program provisions related to student grade point average and mastery of general knowledge from admission requirements to program requirements.
• Modifying educator certification requirements to authorize applicants to demonstrate mastery of subject area competence with a bachelor’s degree in the subject area earned within the past 10 years.
• Modifying requirements relating to the Education Practices Commission (EPC) to specify that:
  o The Commissioner of Education may select and remove the EPC executive director, and may establish the duties of the executive director.
  o The assignment of the EPC to the Department of Education (DOE) includes fiscal accountability.
  o The EPC may expend funds for legal services, and removes the authority to expend funds for a general counsel or access to counsel.

The committee substitute adds additional provisions related to teacher preparation programs and educator certification, but also adds provisions related to teacher professional development and state scholarship programs. The committee substitute:
• Requires ITP and educator preparation institute (EPI) programs to include: the opportunity for student to complete an endorsement; instruction in mandatory training for instructional personnel; and in program performance evaluation employer surveys measures regarding student proficiency.
• Modifies the renewal requirement for an educator professional certificate by specifying that a teacher may only earn inservice points once in the five years certificate validity period for any mandatory training topic that is not linked to student learning or professional growth.
• Modifies requirements relating to professional development (PD) by:
  o Authorizing teachers to use up to 25 percent of their proportional share of a district calculation of PD funds for specified purposes, and requiring the DOE to identify PD that requires demonstration of proficiency.
  o Requiring the DOE to create an annual and 5-year model calendar of state-mandated PD, and the school district to create similar calendars as a part of the professional PD system.
  o Requiring the DOE to maintain a statewide registry of specified approved professional development providers.
o Creating the Professional Development Choice Pilot Program in the DOE, subject to appropriation, to allow a teacher to receive a grant up to $500 for PD that is aligned to PD standards and satisfies professional certificate inservice requirements.

- Establishes the Professional Education Excellence Resources (PEER) Pilot Program (program), subject to legislative appropriation, and:
  o Establishes the PEER program in Clay, Pinellas, and Walton counties.
  o Authorizes PEER program participants to extend the teacher contract day or year for specified PD purposes, subject to salary considerations.
  o Specifies the use of program funds to include teacher compensation, instructional personnel, content area specialists, instructional coaches, and PD opportunities.
  o Requires PEER program participants to collaborate with specified entities to develop high-quality online PD.
  o Authorizes PEER program participants to establish a master teacher program subject to requirements, and requires participates to collaborate with the University of Florida Lastinger Center to develop a master teacher academy.
  o Establishes reporting requirements regarding the use of PEER program funds, the impact on teacher evaluations and student achievement, and recommendations for continuation of the program.

- Modifies the Family Empowerment Scholarship (FES), by:
  o Expanding scholarship eligibility to an FES student who received a Florida Tax Credit (FTC) scholarship in the prior year and was in a public school the year prior to initial receipt of the FTC scholarship.
  o Adding a provision that, similar to the McKay scholarship, the FES is not subject to the maximum value for funding a student.

- Aligns FES and FTC eligibility by:
  o Allowing an FES student to participate in up to two courses from a virtual school, correspondence school, or distance learning program that receives state funding.
  o Increasing the FTC scholarship income eligibility threshold for a student whose household income level does not exceed 300 percent of the federal poverty level with priority given to students whose household income levels do not exceed 185 percent of the federal poverty level.
  o Modifying that a student eligible for an FTC scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s income level.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Appropriations Subcommittee on Education (Diaz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (6) and paragraph (e) of subsection (10) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:
(b) A sponsor shall receive and review all applications for a charter school using the evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received during or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district’s next school year, or to be opened at a time determined agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted by an applicant during the calendar year before August 1 and may receive an application submitted later than August 1 if it chooses. Beginning in 2019 and thereafter, a sponsor shall receive and consider charter school applications received on or before February 1 of each calendar year for charter schools to be opened 18 months later at the beginning of the school district’s school year, or to be opened at a time determined by the applicant. A sponsor may not refuse to receive a charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final
1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 90 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the application and shall provide the letter of denial and supporting documentation to the
applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application of a high-performing charter school does not materially comply with the requirements in paragraph (a) or, for a high-performing charter school system, the application does not materially comply with s. 1002.332(2)(b);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school’s educational program does not substantially replicate that of the applicant or one of the applicant’s high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school’s educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is...
substantially similar to at least one of the applicant’s high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor’s denial of the application in accordance with paragraph (c).

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of an application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of an application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. A charter school may defer the opening of the school’s operations for up to 3 years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school.

(10) ELIGIBLE STUDENTS.—
(e) A charter school may limit the enrollment process only to target the following student populations:

1. Students within specific age groups or grade levels.
2. Students considered at risk of dropping out of school or academic failure. Such students shall include exceptional education students.
3. Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality established pursuant to subsection (15).
4. Students residing within a reasonable distance of the charter school, as described in paragraph (20)(c). Such students shall be subject to a random lottery and to the racial/ethnic balance provisions described in subparagraph (7)(a)8. or any federal provisions that require a school to achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.
5. Students who meet reasonable academic, artistic, or other eligibility standards established by the charter school and included in the charter school application and charter or, in the case of existing charter schools, standards that are consistent with the school’s mission and purpose. Such standards shall be in accordance with current state law and practice in public schools and may not discriminate against otherwise qualified individuals.
6. Students articulating from one charter school to another pursuant to an articulation agreement between the charter schools that has been approved by the sponsor.
7. Students living in a development in which a developer,
including any affiliated business entity or charitable foundation, contributes to the formation, acquisition, construction, or operation of one or more charter schools or charter provides the school facilities and related property in an amount equal to or having a total appraised value of at least $5 million to be used as a charter schools school to mitigate the educational impact created by the development of new residential dwelling units. Students living in the development are entitled to no more than 50 percent of the student stations in the charter schools. The students who are eligible for enrollment are subject to a random lottery, the racial/ethnic balance provisions, or any federal provisions, as described in subparagraph 4. The remainder of the student stations must be filled in accordance with subparagraph 4.

Section 2. Paragraph (b) of subsection (3), subsection (5), and paragraph (a) of subsection (11) of section 1002.394, Florida Statutes, are amended to read:

1002.394 The Family Empowerment Scholarship Program.—
(3) INITIAL SCHOLARSHIP ELIGIBILITY.—A student is eligible for a Family Empowerment Scholarship under this section if the student meets the following criteria:

(b) 1. The student is eligible to enroll in kindergarten or has spent the prior school year in attendance at a Florida public school; or

2. Beginning with the 2020-2021 school year, the student received a scholarship pursuant to s. 1002.395 during the previous school year and, before initial receipt of such scholarship, spent the prior school year in attendance at a
Florida public school.

For purposes of this paragraph, the term “prior school year in attendance” means that the student was enrolled and reported by a school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which includes time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program. However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent’s permanent change of station orders or a foster child is exempt from the prior public school attendance requirement under this paragraph, but must meet the other eligibility requirements specified under this section to participate in the program.

(5) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter;

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

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

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

(11) SCHOLARSHIP FUNDING AND PAYMENT.—

(a) The scholarship is established for up to 18,000 students annually on a first-come, first-served basis beginning in with the 2019-2020 school year. Beginning in the 2020-2021 school year, the maximum number of students participating in the scholarship program under this section shall may annually increase by 1.0 0.25 percent of the state’s total public school student enrollment.

Section 3. Subsection (3) and paragraph (e) of subsection (6) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

(a) The Florida Tax Credit Scholarship Program is established.

(b) A student is eligible for a Florida tax credit scholarship under this section if the student meets one or more of the following criteria:

1. The student is on the direct certification list or the student’s household income level does not exceed 260 185 percent of the federal poverty level; or

2. The student is currently placed, or during the previous
state fiscal year was placed, in foster care or in out-of-home care as defined in s. 39.01.

3. The student’s household income level is greater than 185 percent of the federal poverty level but does not exceed 260 percent of the federal poverty level.

Priority must be given to students whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care. A student who initially receives a scholarship based on eligibility under this paragraph subparagraph (b)2. remains eligible to participate until he or she graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s household income level. A student who initially received a scholarship based on income eligibility before the 2019-2020 school year remains eligible to participate until he or she graduates from high school, attains the age of 21 years, or the student’s household income level exceeds 260 percent of the federal poverty level, whichever occurs first. A sibling of a student who is participating in the scholarship program under this subsection is eligible for a scholarship if the student resides in the same household as the sibling.

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(e) Must give first priority to eligible students who received a scholarship from an eligible nonprofit scholarship-funding organization or from the State of Florida during the previous school year. Beginning in the 2016-2017 school year, an
eligible nonprofit scholarship-funding organization shall give priority to new applicants whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care.

Information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

Section 4. Paragraph (b) of subsection (2) of section 1004.04, Florida Statutes, is amended, paragraph (b) of subsection (3) of that section is amended, paragraphs (d) and (e) of subsection (3) of that section are added, and paragraph (a) of subsection (4) of that section is amended, to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

(b) The rules to establish uniform core curricula for each state-approved teacher preparation program must include, but are not limited to, the following:

1. Candidate instruction and assessment in the Florida Educator Accomplished Practices across content areas.

2. The use of state-adopted content standards to guide curricula and instruction.

3. Evidence-based, scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness,
phonics, vocabulary, fluency, and text comprehension and
multisensory intervention strategies.

4. Content literacy and mathematics practices.
5. Strategies appropriate for the instruction of English
language learners.

6. Strategies appropriate for the instruction of students
with disabilities.

7. Strategies to differentiate instruction based on student
needs.

8. The use of character-based classroom management.

9. Mental health strategies and support.

(3) INITIAL STATE PROGRAM APPROVAL.—

(b) Each teacher preparation program approved by the
Department of Education, as provided for by this section, shall
require students, at a minimum, to meet, at a minimum, the
following as prerequisites for admission into the program:

1. Have a grade point average of at least 2.5 on a 4.0
scale for the general education component of undergraduate
studies or have completed the requirements for a baccalaureate
degree with a minimum grade point average of 2.5 on a 4.0 scale
from any college or university accredited by a regional
accrediting association as defined by State Board of Education
rule or any college or university otherwise approved pursuant to
State Board of Education rule.

2. Demonstrate mastery of general knowledge sufficient for
entry into the program, including the ability to read, write,
and perform in mathematics, by passing the General Knowledge
Test of the Florida Teacher Certification Examination or, for a
graduate level program, obtain a baccalaureate degree from an
institution that is accredited or approved pursuant to the rules of the State Board of Education.

Each teacher preparation program may waive these admissions requirements for up to 10 percent of the students admitted. Programs shall implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification and shall annually report to the Department of Education the status of each candidate admitted under such a waiver.

(d) Each program must include the opportunity for the candidate to complete coursework to obtain a required endorsement in the candidate’s chosen teaching field.

(e) Each program must include, in addition to the core standards for effective education, instruction in the training required of certified instructional personnel, including, but not limited to:

1. Identification, intervention, and prevention of child abuse, abandonment, and neglect;
2. Integration of technology into classroom teaching;
3. Management, assessment, and monitoring of student learning and performance;
4. Skills in classroom management, violence prevention, conflict resolution, and related areas;
5. Developmental disabilities pursuant to s. 1012.582;
6. Youth suicide awareness and prevention pursuant to s. 1012.583; and
7. Youth mental health awareness and assistance pursuant to s. 1012.584.
(4) CONTINUED PROGRAM APPROVAL.—Continued approval of a teacher preparation program shall be based upon evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.

(a) The criteria for continued approval must include each of the following:

1. Documentation from the program that each program candidate met the admission requirements provided in subsection (3).

2. Documentation from the program that the program and each program completer have met the requirements provided in subsection (2).

3. Evidence of performance in each of the following areas:
   a. Placement rate of program completers into instructional positions in Florida public schools and private schools, if available.
   b. Rate of retention for employed program completers in instructional positions in Florida public schools.
   c. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34.
   d. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers aggregated by student subgroup, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II), as a measure of how well the program
prepares teachers to work with a diverse population of students
in a variety of settings in Florida public schools.

e. Results of program completers’ annual evaluations in
accordance with the timeline as set forth in s. 1012.34.

f. Production of program completers in statewide critical
teacher shortage areas as identified in s. 1012.07.

4. Results of the program completers’ survey measuring
their satisfaction with preparation for the realities of the
classroom.

5. Results of the employers’ survey measuring satisfaction
with the program and the program’s responsiveness to local
school districts. The survey must include the employer’s
assessment of the student’s proficiency in the use of state-
adopted content standards and general preparation for the
classroom.

Section 5. Paragraph (a) of subsection (3) and subsection
(5) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.—
(3) Educator preparation institutes approved pursuant to
this section may offer competency-based certification programs
specifically designed for noneducation major baccalaureate
degree holders to enable program participants to meet the
educator certification requirements of s. 1012.56. An educator
preparation institute choosing to offer a competency-based
certification program pursuant to the provisions of this section
must implement a program previously approved by the Department
of Education for this purpose or a program developed by the
institute and approved by the department for this purpose.

Approved programs shall be available for use by other approved
educator preparation institutes.

(a) Within 90 days after receipt of a request for approval, the Department of Education shall approve a preparation program pursuant to the requirements of this subsection or issue a statement of the deficiencies in the request for approval. The department shall approve a certification program if the institute provides evidence of the institute’s capacity to implement a competency-based program that includes each of the following:

1. a. Participant instruction and assessment in the Florida Educator Accomplished Practices across content areas.
   b. The use of state-adopted student content standards to guide curriculum and instruction.
   c. Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
   d. Content literacy and mathematical practices.
   e. Strategies appropriate for instruction of English language learners.
   f. Strategies appropriate for instruction of students with disabilities.
   g. Strategies to differentiate instruction based on student needs.
   h. The use of character-based classroom management.

2. An educational plan for each participant to meet certification requirements and demonstrate his or her ability to
teach the subject area for which the participant is seeking
certification, which is based on an assessment of his or her
competency in the areas listed in subparagraph 1.

3. Field experiences appropriate to the certification
subject area specified in the educational plan with a diverse
population of students in a variety of challenging environments,
including, but not limited to, high-poverty schools, urban
schools, and rural schools, under the supervision of qualified
educators.

4. A certification ombudsman to facilitate the process and
procedures required for participants who complete the program to
meet any requirements related to the background screening
pursuant to s. 1012.32 and educator professional or temporary
certification pursuant to s. 1012.56.

5. The opportunity for a candidate to complete coursework
to obtain a required endorsement in the candidate’s chosen
teaching field.

6. In addition to the core standards for effective
education, instruction in the training required of certified
instructional personnel, including, but not limited to:
   a. Identification, intervention, and prevention of child
      abuse, abandonment, and neglect;
   b. Integration of technology into classroom teaching;
   c. Management, assessment, and monitoring of student
      learning and performance;
   d. Skills in classroom management, violence prevention,
      conflict resolution, and related areas;
   e. Developmental disabilities pursuant to s. 1012.582;
   f. Youth suicide awareness and prevention pursuant to s.
1012.583; and

\[ g. \text{ Youth mental health awareness and assistance pursuant to} \]

\[ s. 1012.584. \]

(5) Each institute approved pursuant to this section shall submit to the Department of Education annual performance evaluations that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and candidates. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the student’s proficiency in the use of state-adopted content standards, the realities of the classroom, and the institute’s responsiveness to local school districts. These evaluations shall be used by the Department of Education for purposes of continued approval of an educator preparation institute’s certification program.

Section 6. Paragraph (c) is added to subsection (3), and paragraphs (c) through (g) of that subsection are redesignated as paragraphs (d) through (h) of section 1008.22, to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content
established in the Next Generation Sunshine State Standards.

Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(c) Nationally recognized high school assessments.—

1. Beginning with the 2020-2021 school year, each school district shall provide for the administration of the SAT or ACT to each public school student in grade 11 in the district, including students attending public high schools, alternative schools, and centers of the Department of Juvenile Justice.

2. School districts must choose either the SAT or ACT for districtwide administration.

3. Funding for the SAT and the ACT for all grade 11 students shall be as provided in the General Appropriations Act.

Section 7. Subsection (4) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e) shall be the sum of the
calculations in paragraphs (a), (b), and (c) as calculated by the department.

(a) The sum of the student’s full-time equivalent student membership value for the school year or the equivalent derived from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-
paragraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and subsection (2). If the sum is greater than 1.0, the full-time equivalent student membership value for each program or course shall be reduced by an equal proportion so that the student’s total full-time equivalent student membership value is equal to 1.0.

(b) If the result in paragraph (a) is less than 1.0 full-time equivalent student and the student has full-time equivalent student enrollment pursuant to sub-sub-subparagraph (1)(c)1.b.(VIII), calculate an amount that is the lesser of the value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of 1.0 less the value in paragraph (a).

(c) The full-time equivalent student enrollment value in sub-subparagraph (1)(c)2.a.

A scholarship award provided to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program pursuant to s. 1002.39 or the Family Empowerment Scholarship Program pursuant to s. 1002.394 is not subject to the maximum value for funding a student under this subsection.

Section 8. Paragraph (i) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each
district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(i) Calculation of full-time equivalent membership with respect to dual enrollment instruction.—

1. Full-time equivalent students.—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(4). Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district. Students in dual enrollment courses may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a Florida College System institution or university conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or university and may be included in calculations of
full-time equivalent student memberships for basic programs for
grades 9 through 12 by a district school board. However, those
provisions of law which exempt dual enrolled and early admission
students from payment of instructional materials and tuition and
fees, including laboratory fees, shall not apply to students who
select the option of enrolling in an eligible independent
institution. An independent college or university, which is not
for profit, is accredited by a regional or national accrediting
agency recognized by the United States Department of Education,
and confers degrees as defined in s. 1005.02 shall be eligible
for inclusion in the dual enrollment or early admission program.
Students enrolled in dual enrollment instruction shall be exempt
from the payment of tuition and fees, including laboratory fees.
No student enrolled in college credit mathematics or English
dual enrollment instruction shall be funded as a dual enrollment
unless the student has successfully completed the relevant
section of the entry-level examination required pursuant to s.
1008.30.

2. Additional full-time equivalent student membership.—For
students enrolled in a program pursuant to s. 1007.273, a value
of 0.16 full-time equivalent student membership shall be
calculated for each student who completes a general education
core course through the dual enrollment program with a grade of
“B” or better. For students who are not enrolled in a program
pursuant to s. 1007.273, a value of 0.08 full-time equivalent
student membership shall be calculated for each student who
completes a general education core course through the dual
enrollment program with a grade of “B” or better. In addition, a
value of 0.3 full-time equivalent student membership shall be
calculated for any student who receives an associate degree through the dual enrollment program with a 3.0 grade point average or better. This value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. This section shall be effective for credit earned by dually enrolled students for courses taken in the 2020-2021 school year and each school year thereafter. If the associate degree pursuant to this paragraph is earned in 2020-2021 following completion of courses taken in the 2020-2021 school year, then courses taken towards the degree as part of the dual enrollment program prior to 2020-2021 may not preclude eligibility for the 0.3 additional full-time equivalent student membership bonus. Each school district shall allocate at least 50 percent of the funds received from the dual enrollment bonus FTE funding, in accordance with this paragraph, to the schools that generated the funds to support student academic guidance and postsecondary readiness.

3. Qualifying courses.—For the purposes of this paragraph, general education core courses are those that are identified in rule by the State Board of Education and in regulation by the Board of Governors pursuant to s. 1007.25(3).

Section 9. Subsection (5) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) For a subject requiring only a baccalaureate degree, a baccalaureate degree with a major in the subject area, conferred within the last 10 years from an accredited or approved
institution as defined in rule 6A-4.003, Florida Administrative Code;

(b) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;

(c) For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

(d) For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;

(e) For a subject requiring a master’s or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination specified in state board rule;

(f) Documentation of a valid professional standard teaching certificate issued by another state;
(g) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;

(h) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program; or

(i) Documentation of a passing score on the Defense Language Proficiency Test (DLPT).

School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

Section 10. Paragraph (g) is added to subsection (3) of section 1012.585, Florida Statutes, to read:

1012.585 Process for renewal of professional certificates.—

(3) For the renewal of a professional certificate, the following requirements must be met:

(g) A teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth.

Section 11. Subsections (5), (6), and (9) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(5) The Commissioner of Education, with the advice and consent of the commission chair, is responsible for appointing, and may remove, commission, by a vote of three-fourths of the membership, shall employ an executive director, who shall be
exempt from career service. The executive director shall have administrative duties, as determined by the Commissioner of Education. The executive director may not impact or influence decisions of the commission. The executive director may be dismissed by a majority vote of the membership.

(6)(a) The commission shall be assigned to the Department of Education for administrative and fiscal accountability purposes. The commission, in the performance of its powers and duties, shall not be subject to control, supervision, or direction by the Department of Education.

(b) The property, personnel, and appropriations related to the specified authority, powers, duties, and responsibilities of the commission shall be provided to the commission by the Department of Education.

(9) The commission shall make such expenditures as may be necessary in exercising its authority and powers and carrying out its duties and responsibilities, including expenditures for personal services, legal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding. The expenditures of the commission shall be subject to the powers and duties of the Department of Financial Services as provided in s. 17.03.

Section 12. Subsection (5) of section 1012.98, Florida Statutes, is amended, and subsections (13), (14), and (15) are added to that section, to read:

1012.98 School Community Professional Development Act.—

(5) Each district school board shall provide funding for the professional development system as required by s. 1011.62
and the General Appropriations Act, and shall direct expenditures from other funding sources to continuously strengthen the system in order to increase student achievement and support instructional staff in enhancing rigor and relevance in the classroom. Each district school board shall calculate a proportionate share of professional development funds for each classroom teacher and allow each classroom teacher to use up to 25 percent of the proportionate share on professional development that addresses the academic needs of students or an identified area of professional growth for the classroom teacher. The department shall identify professional development opportunities that require the classroom teacher to demonstrate proficiency in a specific classroom practice. A school district may coordinate its professional development program with that of another district, with an educational consortium, or with a Florida College System institution or university, especially in preparing and educating personnel. Each district school board shall make available inservice activities to instructional personnel of nonpublic schools in the district and the state certified teachers who are not employed by the district school board on a fee basis not to exceed the cost of the activity per all participants.

(13) To assist school district planning for required teacher professional development, by August 1, 2020, the department shall develop a model annual and 5-year calendar that incorporates all state-required professional development. No later than January 1, 2021, school districts shall develop an annual and a 5-year calendar of professional development for inclusion in the professional development system approved by the
department pursuant to subsection (4).

(14) The department shall develop and maintain a statewide registry of approved professional development providers and professional development activities for use by teachers in this state. The registry is intended to provide educators with high-quality professional development opportunities in addition to those offered by an entity specified in subsection (1).

(a) Any professional development provider seeking to be added to the registry must complete an application developed by the department. Approved providers are responsible for notifying the department of any changes to the provider or approved activities using an update form developed by the department. The approval form must include, but is not limited to, requirements that the provider specify:

1. Compliance with this section.
2. The alignment of professional development activities with professional development standards adopted by the state board in rule and standards adopted by the National Staff Development Council.
3. Professional development activities offered by the provider.
4. Qualifications of instructors for the professional development activities to be approved.

(b) Providers specified in subsection (1), as well as providers approved by such entities, are not required to seek department approval to offer professional development activities and are not required to be added to the registry. However, such providers that wish to offer statewide professional development opportunities may seek department approval and be added to the
(c) Providers approved by the department must maintain information that includes, but is not limited to, the professional development activity, date of the activity, hours of instruction, and instructor, if applicable. The approved provider must provide such information to each participant.

(d) The department shall review the professional development provider application for compliance with requirements. The department must inform the provider in writing within 90 days after submission of an application regarding the approval or denial of the provider. The approval is valid for a period not to exceed 5 years, after which the provider must reapply.

1. Each school district shall accept an approved professional development activity on the registry toward meeting the requirements of s. 1012.585(3).

2. The department shall determine the number of inservice hours to be awarded for completion of each specified professional development activity.

(15) There is created the Professional Development Choice Pilot Program to be administered by the department for a period of 3 years, subject to legislative appropriation. The purpose of the pilot program is to provide grants to eligible teachers to select professional learning opportunities that best meet each teacher’s individual needs.

(a) A teacher may use a pilot program grant for professional development approved by a school district or by a provider approved by the department pursuant to subsection (14).

1. Professional development must be aligned with the
standards adopted by the state board in rule and standards adopted by the National Staff Development Council.

2. Training completed under this subsection must comply with and satisfy the requirements of s. 1012.585(3).

3. Professional learning activities may include, but are not limited to, in-person or online training; travel and registration for conferences or workshops; college credit courses; and district professional development certification and education competency programs.

(b) To be eligible for a pilot program grant, an individual must:

1. Hold a professional certificate issued pursuant to s. 1012.56(7)(a);
2. Be employed as a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, by a district school board or by a charter school; and
3. Apply for a grant in a format determined by the department. The application must require an applicant to describe how the professional development activity relates to and will improve instruction in the classroom.

(c) Each classroom teacher eligible under paragraph (b) may receive a reimbursement for training pursuant to paragraph (a). The reimbursement for each teacher participating in the pilot program may not exceed $500 per school year. Each classroom teacher is eligible for one grant per school year. The pilot program grants must be awarded on a first-come, first-served basis.

(d) Each school district shall:

1. Review a proposed professional development activity to
determine alignment with district and individual professional
development plans and determine the number of inservice credit
hours to be awarded; and

2. Approve any professional development opportunity
included on the department’s registry pursuant to subsection
(13).

(e) The department shall:
1. Maintain a registry of approved providers and
professional development activities pursuant to subsection (14).
2. Establish, no later than August 1, 2020, a grant
application form.

Section 13. Section 1012.981, Florida Statutes, is created
to read:

1012.981 Professional Education Excellence Resources Pilot
Program.—

(1) There is established the Professional Education
Excellence Resources (PEER) Pilot Program, administered by the
department, to provide school district flexibility to increase
opportunities for professional learning, collaboration with
teachers and leaders, and teacher leadership.

(2) The PEER Pilot Program is established in Clay, Palm
Beach, Pinellas, and Walton Counties.

(3) Participating school districts implementing the PEER
Pilot Program may:

(a) Extend the contract day or the contract year, or both,
for participating teachers for professional development,
collaboration with colleagues, or instructional coaching. A
participating school district that chooses to extend the
contract day or year must, before the start of the 2020-2021
school year, negotiate with the certified collective bargaining unit for instructional personnel a memorandum of understanding that addresses the additional duty hours in a week or duty days in a school year and additional payments based on the salary scale of the district to teachers who participate in the pilot program.

(b) Use program funds to:

1. Compensate teachers who are assigned to an extended school day or school year pursuant to paragraph (a).

2. Hire additional instructional personnel to provide teachers with additional planning periods or other release time to complete professional development, collaborate with colleagues, or perform other appropriate activities.

3. Provide content area specialists to provide support for teachers’ individual needs and professional growth.

4. Provide instructional coaches for participating teachers.

5. Provide professional development opportunities.

(4) School districts participating in the pilot program must collaborate with the department, postsecondary educational institutions, regional education consortia, the University of Florida Lastinger Center, or other appropriate organizations to develop high-quality online professional development opportunities accessible to instructional personnel statewide. Such online professional development must:

(a) Be self-paced and available to teachers at any time.

(b) Align with standards for professional development as described in state board rule.

(c) Protect the private information of participants.
(d) Satisfy requirements for renewal of an educator certificate.

(e) Include online assessments with timely feedback to evaluate participant learning measured against program goals.

(5) Participating school districts may use program funds to establish a master teacher program. The master teacher program provides accomplished teachers the opportunity to innovate and improve classroom practices, facilitate improved professional development, and improve instructional quality through collaboration with teachers and leaders. School districts shall determine the specific roles assigned to a master teacher.

(a) Each master teacher program must include, but is not limited to:

1. Providing release time for planning and meeting with teachers and leaders;

2. Additional professional development opportunities, to include participation in local and national conferences or payments for college credit courses to increase skills or obtain a higher university degree; and

3. Monetary compensation.

(b) School districts may select for the master teacher program teachers who were rated highly effective in the previous school year and may determine other selection criteria, which may include, but are not limited to, information in performance evaluations, peer reviews, demonstration of content expertise, principal recommendation, or candidate interviews.

(c) Each participating school district must collaborate with the department and with the University of Florida Lastinger Center to develop a master teacher academy to support
instructional personnel statewide. The master teacher academy must:

1. Provide recommendations for the selection, training, and support of district master teachers.

2. Create a bank of online professional development tools that serve as exemplars for instructional best practices. Such content may include pedagogy, instructional delivery, professional learning communities, collaboration, personalized learning, teacher and student or parent conferencing, positive behavior supports, and using data to improve instruction.

3. Provide instructional coaching for school-based leaders and principal supervisors. The content must focus on providing teachers with actionable feedback on performance.

(6) Each school district participating in the PEER Pilot Program must annually, by August 1, report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the department on the performance of the pilot program. Each report must include, but is not limited to:

(a) The use of the pilot program funds.

(b) The impact of the pilot program on student achievement.

(c) The impact of the pilot program on teacher annual evaluations.

(d) The results of satisfaction surveys given to pilot program participants.

(e) Recommendations for continuation of the pilot program and for scaling the pilot program for statewide implementation.

(7) The State Board of Education shall adopt rules to administer this section.

(8) This section shall be implemented only to the extent
specifically funded and authorized by law.

Section 14. Pathways in Technology Early College High School (P-TECH) program.—

(1) By December 1, 2020, the Commissioner of Education shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education a report with recommendations that address the feasibility of implementing the Pathways in Technology Early College High School (P-TECH) program, or a similar program, in Florida. The P-TECH program must:

(a) Incorporate secondary and postsecondary education with workforce education and work experience through a flexible 6-year integrated model.

(b) Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience within 6 years after enrolling in the 9th grade.

(c) Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.

(d) Support student success through flexible class scheduling, advising and mentoring components, and other wrap-around services.

(e) Provide seamless articulation with Florida's postsecondary institutions.

(2) The report must, at a minimum, include the following:

(a) Timelines for implementing a P-TECH program, or a similar program, as described in subsection (1), including courses of study which support program completion in 4 to 6
(b) A funding model that provides the P-TECH program, or a similar program, at no cost to students. The funding model may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.

(c) Partnerships with industries and businesses, which include private investment, work-based training, internships, and priority placement for job opportunities upon graduation.

(d) Recommendations for modifications, if any, to the school and school district accountability requirements of §1008.34, Florida Statutes.

(3) This section shall take effect upon this act becoming a law and shall expire on December 1, 2020.

Section 15. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of §1012.56(5)(b) or §1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

(a) To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.

(b) By July 1, 2018, and at least once every 5 years
thereafter, the department shall conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas. The review must include reciprocity requirements for out-of-state certificates and requirements for demonstrating competency in the reading instruction professional development topics listed in s. 1012.98(4)(b)11. The review must also consider the award of an endorsement to an individual who holds a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers or who completes a postsecondary program that is accredited by such organization. Any such certificate or program must require an individual who completes the certificate or program to demonstrate competence in reading intervention strategies through clinical experience. At the conclusion of each review, the department shall recommend to the state board changes to the subject coverage or endorsement requirements based upon any identified instruction or intervention strategies proven to improve student reading performance. This paragraph does not authorize the state board to establish any new certification subject coverage.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.
Section 16. This act shall take effect July 1, 2020.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled
An act relating to education; amending s. 1002.33, F.S.; prohibiting sponsors from refusing to receive a charter school application submitted during the calendar year; authorizing charter schools to limit the enrollment process to target certain additional student populations; amending s. 1002.394, F.S.; revising initial scholarship eligibility criteria for the Family Empowerment Scholarship Program, beginning with a specified school year; providing that participation in certain virtual schools, correspondence schools, or distance learning programs does not make a student ineligible for a scholarship under the program in certain circumstances; requiring, rather than authorizing, an annual specified increase in the maximum number of students participating in such program; amending s. 1002.395, F.S.; revising eligibility criteria for the Florida Tax Credit Scholarship Program and applying the criteria only to initial eligibility; requiring that priority be given to students whose household incomes do not exceed a specified amount; amending s. 1004.04, F.S.; requiring that the rules to establish uniform core curricula for
each state-approved teacher preparation program
include evidence-based reading instructional
strategies and mental health strategies and support;
requiring state-approved teacher preparation programs
include opportunities to complete endorsements and
complete training required of instructional personnel;
removing admission requirements, and deleting a
provision allowing teacher preparation programs to
waive admission requirements for up to 10 percent of
the students admitted; requiring an assessment of
student proficiency is employer surveys; amending s.
1004.85, F.S.; expanding requirements for the
certification program of a postsecondary educator
preparation institute to be approved by the Department
of Education; amending s. 1008.22, F.S.; requiring
school districts to provide the SAT or ACT to grade 11
students beginning in a specified school year;
requiring school districts to choose which assessment
to administer; amending s. 1011.61, F.S.; providing
that a certain scholarship award is not subject to the
maximum value for funding a student under the Florida
Education Finance Program; amending s. 1011.62, F.S.;
changing the calculation of full-time equivalent
student membership for dual enrollment purposes;
amending s. 1012.56, F.S.; providing that for a
subject requiring only a baccalaureate degree, a
baccalaureate degree with a major in the subject area,
conferred within the last 10 years, is an acceptable
means of demonstrating mastery of subject area
knowledge; amending s. 1012.585, F.S.; specifying that teachers may earn inservice points only once during a certain time period for any mandatory training topic not linked to student learning or professional growth; amending s. 1012.79, F.S.; directing the Commissioner of Education, with the advice and consent of the chair of the Education Practices Commission, to appoint an executive director who is exempt from career service and may be removed by the commissioner; specifying that the executive director will have administrative duties, as determined by the commissioner; making a technical change; amending s. 1012.98, F.S.; requiring district school boards to calculate a proportionate share of professional development funds for each classroom teacher; authorizing classroom teachers to use up to a certain amount of such funds for certain purposes; requiring the Department of Education to identify professional development opportunities for classroom teachers to demonstrate proficiency in a specific classroom practice; requiring the department to create and develop a model annual and 5-year calendar of professional development by a specified date; requiring school districts to develop annual and 5-year calendars of professional development for inclusion in the department’s professional development system by a specified date; requiring the department to maintain a statewide registry of approved professional development providers and professional development activities for use by teachers; requiring
professional development providers to be approved by the department; specifying requirements for professional development providers; requiring the department to review professional development provider applications for compliance and to approve or deny an application within a certain timeframe; providing for provider reapplication; requiring each school district to accept an approved professional development activity for a certain purpose; requiring the department to determine the number of inservice hours to be awarded for completion of an activity; creating the Professional Development Choice Pilot Program to be administered by the department for a specified period; providing the pilot program’s purpose; authorizing the use of pilot program grants for specified purposes; providing requirements for the use of such grants; providing eligibility requirements for receiving pilot program grants; providing requirements and limits for grant disbursements; providing certain duties of each school district; requiring the department to maintain a registry of approved provider and professional development activities; requiring the department to establish an application form by a specified date; creating s. 1012.981, F.S.; creating the Professional Education Excellence Resources (PEER) Pilot Program in specified counties; authorizing school districts implementing the pilot program to engage in certain activities; authorizing school districts to use program funds for certain purposes;
requiring school districts participating in the program to collaborate with the department and other entities to develop high-quality online professional development opportunities accessible to instructional personnel statewide; providing requirements for such professional online development opportunities; authorizing participating school districts to use program funds to establish a master teacher program; providing requirements for the master teacher program; requiring participating school districts to collaborate with the department and the University of Florida Lastinger Center to develop a master teacher academy; providing duties for the master teacher academy; requiring each school district participating in the PEER Pilot Program to report annually to the Governor, the Legislature, and the department on the performance of the pilot program; requiring the annual report to contain certain information; requiring the State Board of Education to adopt rules; specifying that the pilot program be implemented only to the extent specifically funded and authorized by law; requiring the Commissioner of Education to submit to certain entities by a specified date a report with recommendations relating to the implementation of the Pathways in Technology Early College High School program, or a similar program; providing requirements for such program and report; providing for expiration; amending s. 1012.586, F.S.; conforming a cross-reference; providing an effective date.
By the Committee on Education; and Senator Diaz

A bill to be entitled
An act relating to education; amending s. 1002.394, F.S.; revising initial scholarship eligibility criteria for the Family Empowerment Scholarship Program, beginning with a specified school year; providing that participation in certain virtual schools, correspondence schools, or distance learning programs does not make a student ineligible for a scholarship under the program in certain circumstances; amending s. 1002.395, F.S.; revising eligibility criteria for the Florida Tax Credit Scholarship Program and applying the criteria only to initial eligibility; requiring that priority be given to students whose household incomes do not exceed a specified amount; amending s. 1004.04, F.S.; requiring that the rules to establish uniform core curricula for each state-approved teacher preparation program include evidence-based reading instructional strategies and mental health strategies and support; requiring state-approved teacher preparation programs include opportunities to complete endorsements and complete training required of instructional personnel; removing admission requirements, and deleting a provision allowing teacher preparation programs to waive admission requirements for up to 10 percent of the students admitted; requiring an assessment of student proficiency is employer surveys; amending s. 1004.85, F.S.; expanding requirements for the certification program of a postsecondary educator...
specific classroom practice; requiring the department
to create and develop a model annual and 5-year
calendar of professional development by a specified
date; requiring school districts to develop annual and
5-year calendars of professional development for
inclusion in the department’s professional development
system by a specified date; requiring the department
to maintain a statewide registry of approved
professional development providers and professional
development activities for use by teachers; requiring
professional development providers to be approved by
the department; specifying requirements for
professional development providers; requiring the
department to review professional development provider
applications for compliance and to approve or deny an
application within a certain timeframe; providing for
provider reapplication; requiring each school district
to accept an approved professional development
activity for a certain purpose; requiring the
department to determine the number of inservice hours
to be awarded for completion of an activity; creating
the Professional Development Choice Pilot Program to
be administered by the department for a specified
period; providing the pilot program’s purpose;
authorizing the use of pilot program grants for
specified purposes; providing requirements for the use
of such grants; providing eligibility requirements for
receiving pilot program grants; providing requirements
and limits for grant disbursements; providing certain

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Section 2.

Subsection (3) and paragraph (e) of subsection 2. Initially, the student is eligible to enroll in kindergarten or has spent the prior school year in attendance at a Florida public school; or

2. Beginning with the 2020-2021 school year, the student received a scholarship pursuant to s. 1002.395 during the previous school year and, before initial receipt of such scholarship, spent the prior school year in attendance at a Florida public school.

For purposes of this paragraph, the term "prior school year in attendance" means that the student was enrolled and reported by a school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which includes time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program. However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent's permanent change of station orders or a foster child is exempt from the prior public school attendance requirement under this paragraph, but must meet the other eligibility requirements specified under this section to participate in the program.

(5) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter;

(d) Participating in a home education program as defined in s. 1002.011;

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

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

Section 2. Subsection (3) and paragraph (e) of subsection
175 (6) of section 1002.395, Florida Statutes, are amended to read:
176 1002.395 Florida Tax Credit Scholarship Program.—
177 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—
178 (a) The Florida Tax Credit Scholarship Program is
179 established.
180 (b) A student is eligible for a Florida tax credit
181 scholarship under this section if the student meets one or more
182 of the following criteria:
183 1. The student is on the direct certification list or the
184 student’s household income level does not exceed 300 percent
185 of the federal poverty level; or
186 2. The student is currently placed, or during the previous
187 state fiscal year was placed, in foster care or in out-of-home
188 care as defined in s. 39.01.
189 3. The student’s household income level is greater than 185
190 percent of the federal poverty level but does not exceed 260
191 percent of the federal poverty level.
192 Priority must be given to students whose household incomes
193 do not exceed 185 percent of the federal poverty level or who
194 are in foster care or out-of-home care. A student who initially
195 receives a scholarship based on eligibility under this paragraph
196 subparagraph (b) remains eligible to participate until he or
197 she graduates from high school or attains the age of
198 21 years, whichever occurs first, regardless of the student’s
199 household income level. A student who initially received a
200 scholarship based on income eligibility before the 2019-2020
201 school year remains eligible to participate until he or she
202 graduates from high school, attains the age of 21 years, or the
203 student’s household income level exceeds 260 percent of the
204 federal poverty level, whichever occurs first. A sibling of a
205 student who is participating in the scholarship program under
206 this subsection is eligible for a scholarship if the student
207 resides in the same household as the sibling.
208 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
209 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
210 organization:
211 (e) Must give first priority to eligible students who
212 received a scholarship from an eligible nonprofit scholarship-
213 funding organization or from the State of Florida during the
214 previous school year. Beginning in the 2016-2017 school year, an
215 eligible nonprofit scholarship-funding organization shall give
216 priority to new applicants whose household income levels do not
217 exceed 185 percent of the federal poverty level or who are in
218 foster care or out-of-home care.
219 Information and documentation provided to the Department of
220 Education and the Auditor General relating to the identity of a
221 taxpayer that provides an eligible contribution under this
222 section shall remain confidential at all times in accordance
223 with s. 213.053.
224 Section 3. Paragraph (b) of subsection (2) of section
225 1004.04, Florida Statutes, is amended, paragraph (b) of
226 subsection (3) of that section is amended, paragraphs (d) and
227 (e) of subsection (3) of that section are added, and subsection
228 (4) of that section is amended, to read:
229 1004.04 Public accountability and state approval for
230 teacher preparation programs.—
1. Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from any college or university accredited by a regional accrediting association as defined by State Board of Education rule or any college or university otherwise approved pursuant to State Board of Education rule.

2. Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an institution that is accredited or approved pursuant to the rules of the State Board of Education.

Each teacher preparation program may waive these admissions requirements for up to 10 percent of the students admitted.

Programs shall implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification and shall annually report to the Department of Education the status of each candidate admitted under such a waiver.

(d) Each program must include the opportunity for the candidate to complete coursework to obtain a required endorsement in the candidate’s chosen teaching field.

(e) Each program must include, in addition to the core standards for effective education, instruction in the training required of certified instructional personnel, including, but not limited to:

1. Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from any college or university accredited by a regional accrediting association as defined by State Board of Education rule or any college or university otherwise approved pursuant to State Board of Education rule.

2. Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an institution that is accredited or approved pursuant to the rules of the State Board of Education.
1. Identification, intervention, and prevention of child abuse, abandonment, and neglect;
2. Integration of technology into classroom teaching;
3. Management, assessment, and monitoring of student learning and performance;
4. Skills in classroom management, violence prevention, conflict resolution, and related areas;
5. Developmental disabilities pursuant to s. 1012.582;
6. Youth suicide awareness and prevention pursuant to s. 1012.583; and
7. Youth mental health awareness and assistance pursuant to s. 1012.584.

(4) CONTINUED PROGRAM APPROVAL.—Continued approval of a teacher preparation program shall be based upon evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.

(a) The criteria for continued approval must include each of the following:

1. Documentation from the program that each program candidate met the admission requirements provided in subsection (3).
2. Documentation from the program that the program and each program completer have met the requirements provided in subsection (2).
3. Evidence of performance in each of the following areas:
   a. Placement rate of program completers into instructional positions in Florida public schools and private schools, if

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including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.

d. Content literacy and mathematical practices.

e. Strategies appropriate for instruction of English language learners.

f. Strategies appropriate for instruction of students with disabilities.

g. Strategies to differentiate instruction based on student needs.

h. The use of character-based classroom management.

2. An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in the areas listed in subparagraph 1.

3. Field experiences appropriate to the certification subject area specified in the educational plan with a diverse population of students in a variety of challenging environments, including, but not limited to, high-poverty schools, urban schools, and rural schools, under the supervision of qualified educators.

4. A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening pursuant to s. 1012.32 and educator professional or temporary certification pursuant to s. 1012.56.

5. The opportunity for a candidate to complete coursework to obtain a required endorsement in the candidate’s chosen teaching field.
6. In addition to the core standards for effective education, instruction in the training required of certified instructional personnel, including, but not limited to:

- a. Identification, intervention, and prevention of child abuse, abandonment, and neglect;
- b. Integration of technology into classroom teaching;
- c. Management, assessment, and monitoring of student learning and performance;
- d. Skills in classroom management, violence prevention, conflict resolution, and related areas;
- e. Developmental disabilities pursuant to s. 1012.582;
- f. Youth suicide awareness and prevention pursuant to s. 1012.583; and
- g. Youth mental health awareness and assistance pursuant to s. 1012.584.

(5) Each institute approved pursuant to this section shall submit to the Department of Education annual performance evaluations that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and candidates. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the student’s proficiency in the use of state-adopted content standards, the realities of the classroom, and the institute’s responsiveness to local school districts. These evaluations shall be used by the Department of Education for purposes of continued approval of an educator preparation institute’s certification program.

A scholarship award provided to a student enrolled in the John institute’s certification program.
Section 6. Subsection (5) of section 1012.56, Florida Statutes, is amended to read:

"1012.56 Educator certification requirements.—

(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) For a subject requiring only a baccalaureate degree, a baccalaureate degree with a major in the subject area, conferred within the last 10 years from an accredited or approved institution as defined in rule 6A-4.003, Florida Administrative Code;

(b) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;

(c) For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

(d) For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;

(e) For a subject requiring a master’s or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination specified in state board rule;

(f) Documentation of a valid professional standard teaching certificate issued by another state;

(g) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;

(h) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program; or

(i) Documentation of a passing score on the Defense Language Proficiency Test (DLPT).

School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

Section 7. Paragraph (g) is added to subsection (3) of section 1012.585, Florida Statutes, to read:

"1012.585 Process for renewal of professional certificates.—"
(3) For the renewal of a professional certificate, the following requirements must be met:

(g) A teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth. Section 8. Subsections (5), (6), and (9) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(5) The Commissioner of Education, with the advice and consent of the commission chair, is responsible for appointing, and may remove, an executive director, who shall be exempt from career service. The executive director shall have administrative duties, as determined by the Commissioner of Education. The executive director may not impact or influence decisions of the commission. The executive director may be dismissed by a majority vote of the membership.

(6)(a) The commission shall be assigned to the Department of Education for administrative and fiscal accountability purposes. The commission, in the performance of its powers and duties, shall not be subject to control, supervision, or direction by the Department of Education.

(b) The property, personnel, and appropriations related to the specified authority, powers, duties, and responsibilities of the commission shall be provided to the commission by the Department of Education.

(9) The commission shall make such expenditures as may be necessary in exercising its authority and powers and carrying out its duties and responsibilities, including expenditures for

CODING: Words underlined are deletions; words stricken are additions.
shall make available inservice activities to instructional personnel of nonpublic schools in the district and the state certified teachers who are not employed by the district school board on a fee basis not to exceed the cost of the activity per all participants.

(13) To assist school district planning for required teacher professional development, by August 1, 2020, the department shall develop a model annual and 5-year calendar that incorporates all state-required professional development. No later than January 1, 2021, school districts shall develop an annual and a 5-year calendar of professional development for inclusion in the professional development system approved by the department pursuant to subsection (4).

(14) The department shall develop and maintain a statewide registry of approved professional development providers and professional development activities for use by teachers in this state. The registry is intended to provide educators with high-quality professional development opportunities in addition to those offered by an entity specified in subsection (1).

(a) Any professional development provider seeking to be added to the registry must complete an application developed by the department. Approved providers are responsible for notifying the department of any changes to the provider or approved activities using an update form developed by the department. The approval form must include, but is not limited to, requirements that the provider specify:

1. Compliance with this section.
2. The alignment of professional development activities with professional development standards adopted by the state board in rule and standards adopted by the National Staff Development Council.

(b) Providers specified in subsection (1), as well as providers approved by such entities, are not required to seek department approval to offer professional development activities and are not required to be added to the registry. However, such providers that wish to offer statewide professional development opportunities may seek department approval and be added to the registry.

(c) Providers approved by the department must maintain information that includes, but is not limited to, the professional development activity, date of the activity, hours of instruction, and instructor, if applicable. The approved provider must provide such information to each participant.

(d) The department shall review the professional development provider application for compliance with requirements. The department must inform the provider in writing within 90 days after submission of an application regarding the approval or denial of the provider. The approval is valid for a period not to exceed 5 years, after which the provider must reapply.

1. Each school district shall accept an approved professional development activity on the registry toward meeting the requirements of s. 1002.385(3).

2. The department shall determine the number of inservice
There is established the Professional Education Excellence Resources (PEER) Pilot Program, administered by the department, to provide grants to eligible teachers to select professional learning opportunities that best meet each teacher’s individual needs.

(a) A teacher may use a pilot program grant for professional development approved by a school district or by a provider approved by the department pursuant to subsection (14).

1. Professional development must be aligned with the standards adopted by the state board in rule and standards adopted by the National Staff Development Council.

2. Training completed under this subsection must comply with and satisfy the requirements of s. 1012.585(3).

3. Professional learning activities may include, but are not limited to, in-person or online training; travel and registration for conferences or workshops; college credit courses; and district professional development certification and education competency programs.

(b) To be eligible for a pilot program grant, an individual must:

1. Hold a professional certificate issued pursuant to s. 1012.56(7)(a);

2. Be employed as a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, by a district school board or by a charter school; and

3. Apply for a grant in a format determined by the department.

581-02438-20 20201220c1

The application must require an applicant to describe how the professional development activity relates to and will improve instruction in the classroom.

(c) Each classroom teacher eligible under paragraph (b) may receive a reimbursement for training pursuant to paragraph (a). The reimbursement for each teacher participating in the pilot program may not exceed $500 per school year. Each classroom teacher is eligible for one grant per school year. The pilot program grants must be awarded on a first-come, first-served basis.

(d) Each school district shall:

1. Review a proposed professional development activity to determine alignment with district and individual professional development plans and determine the number of inservice credit hours to be awarded; and

2. Approve any professional development opportunity included on the department’s registry pursuant to subsection (13).

(e) The department shall:

1. Maintain a registry of approved providers and professional development activities pursuant to subsection (14).

2. Establish, no later than August 1, 2020, a grant application form.

Section 10. Section 1012.981, Florida Statutes, is created to read:

1012.981 Professional Education Excellence Resources Pilot Program.—

1. There is established the Professional Education Excellence Resources (PEER) Pilot Program, administered by the

Page 23 of 30

CODING: Words **stricken** are deletions; words ___underlined___ are additions.

Page 24 of 30

CODING: Words **stricken** are deletions; words ___underlined___ are additions.
5. Provide professional development opportunities.

(4) School districts participating in the pilot program must collaborate with the department, postsecondary educational institutions, regional education consortia, the University of Florida Lastinger Center, or other appropriate organizations to develop high-quality online professional development opportunities accessible to instructional personnel statewide.

Such online professional development must:

(a) Be self-paced and available to teachers at any time.
(b) Align with standards for professional development as described in state board rule.
(c) Protect the private information of participants.
(d) Satisfy requirements for renewal of an educator certificate.
(e) Include online assessments with timely feedback to evaluate participant learning measured against program goals.

(5) Participating school districts may use program funds to establish a master teacher program. The master teacher program provides accomplished teachers the opportunity to innovate and improve classroom practices, facilitate improved professional development, and improve instructional quality through collaboration with teachers and leaders. School districts shall determine the specific roles assigned to a master teacher.

(a) Each master teacher program must include, but is not limited to:
    1. Providing release time for planning and meeting with teachers and leaders;
    2. Additional professional development opportunities, to include participation in local and national conferences or other appropriate activities.

(b) Use program funds to:
  1. Compensate teachers who are assigned to an extended school day or school year pursuant to paragraph (a).
  2. Hire additional instructional personnel to provide teachers with additional planning periods or other release time to complete professional development, collaborate with colleagues, or perform other appropriate activities.
  3. Provide content area specialists to provide support for teachers’ individual needs and professional growth.
  4. Provide instructional coaches for participating teachers.
(b) By July 1, 2018, and at least once every 5 years, each participating school district must collaborate with the department and with the University of Florida Lastinger Center to develop a master teacher academy to support instructional personnel statewide. The master teacher academy must:

1. Provide recommendations for the selection, training, and support of district master teachers.
2. Create a bank of online professional development tools that serve as exemplars for instructional best practices. Such content may include pedagogy, instructional delivery, professional learning communities, collaboration, personalized learning, teacher and student or parent conferencing, positive behavior supports, and using data to improve instruction.
3. Provide instructional coaching for school-based leaders and principal supervisors. The content must focus on providing teachers with actionable feedback on performance.

(c) Each participating school district must annually, by August 1, report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the department on the performance of the pilot program. Each report must include, but is not limited to:

- The use of the pilot program funds.
- The impact of the pilot program on student achievement.
- The impact of the pilot program on teacher annual evaluations.
- The results of satisfaction surveys given to program participants.
- Recommendations for continuation of the pilot program and for scaling the pilot program for statewide implementation.

(7) The State Board of Education shall adopt rules to administer this section.

(8) This section shall be implemented only to the extent specifically funded and authorized by law.

Section 11. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

(a) To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.

(b) By July 1, 2018, and at least once every 5 years
thereafter, the department shall conduct a review of existing
subject coverage or endorsement requirements in the elementary,
reading, and exceptional student educational areas. The review
must include reciprocity requirements for out-of-state
certificates and requirements for demonstrating competency in
the reading instruction professional development topics listed
in s. 1012.98(4)(b)11. The review must also consider the award
of an endorsement to an individual who holds a certificate
issued by an internationally recognized organization that
establishes standards for providing evidence-based interventions
to struggling readers or who completes a postsecondary program
that is accredited by such organization. Any such certificate or
program must require an individual who completes the certificate
or program to demonstrate competence in reading intervention
strategies through clinical experience. At the conclusion of
each review, the department shall recommend to the state board
changes to the subject coverage or endorsement requirements
based upon any identified instruction or intervention strategies
proven to improve student reading performance. This paragraph
does not authorize the state board to establish any new
certification subject coverage.

The employing school district shall charge the employee a fee
not to exceed the amount charged by the Department of Education
for such services. Each district school board shall retain a
portion of the fee as defined in the rules of the State Board of
Education. The portion sent to the department shall be used for
maintenance of the technology system, the web application, and
posting and mailing of the certificate.

Section 12. This act shall take effect July 1, 2020.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 2/25/2020

Bill Number (if applicable): 181396

Topic: Education

Name: James Herzog

Job Title: Associate Director for Education

Address: 201 West Park Ave

City: Tallahassee

State: FL

Zip: 32301

Phone: (850) 225-6827

Email: jherzog@moco.org

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against

Representing: Florida Conference of Catholic Bishops

Appearing at request of Chair: [x] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 25 2020
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

del.起:181576

Topic Education

Name Marie-Claire Leman

Job Title Parent + Public School advocate

Address 19th Wahalah St
Street
City Tallahassee
State FL
Zip 32301

Phone 850 728-7514
Email marie-claire.leman@gmail.com

Speaking: ☑ For ☐ Against ☐ Information
Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing ☑ Myself

Appearing at request of Chair: ☑ Yes ☐ No
Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 2/25/20

Topic: Family Empowerment

Name: Rev Dr. Russell Meyer

Job Title: Exec Dir

Address: 3838 W Cypress St

Street: Tamah;

City: Tampa;

State: FL;

Zip: 33607

Phone: 813-435-5335

Email: 

Speaking: ☑️ For; ☐ Against; ☐ Information

Waive Speaking: ☐ In Support; ☐ Against

(The Chair will read this information into the record.)

Representing: FL Council of Churches

Appearing at request of Chair: ☐ Yes; ☑️ No

Lobbyist registered with Legislature: ☐ Yes; ☑️ No

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The Florida Senate

Appearance Record

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20

Meeting Date

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic

Name Jared Ochs

Job Title Director of Legislative Affairs

Address 325 West Gaines Street

Street

Tallahassee

City

FL

State

32399

Zip

Phone

Email Jared.Ochs@fldoe.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☑ In Support ☐ Against

(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: ☐ Yes ☑ No

Lobbyist registered with Legislature: ☑ Yes ☐ No

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THE FLORIDA SENATE

APPEARANCE RECORD

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2/25/2020

Meeting Date

Topic SB 1220 Education

Name Mimi Jankovitz

Job Title Director

Address 3100 N 29th Court

Street Hollywood

City FL 33020

State Zip

Phone 2133045038

Email mimij@ou.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☑ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Teach Florida

 Appearing at request of Chair: ☐ Yes ☑ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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THE FLORIDA SENATE

APPEARANCE RECORD

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2/25/2020

Meeting Date

SB 1220

Bill Number (if applicable)

Name Matthew Choy

Job Title Policy Director

Address 136 S. Bronough St

Tallahassee, FL 32311

City State Zip

Phone 561-386-3451

Email mchoy@flichamber.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☑ In Support ☐ Against

(The Chair will read this information into the record.)

Representing The Florida Chamber of Commerce

Appearing at request of Chair: ☐ Yes ☑ No

Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

SR 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic Education

Name Dawn Steward

Job Title

Address 2130 Blossom Lane

Winter Park, FL 32789

Street

City

State Zip

Phone 407-645-0273

Email sty2130@aol.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

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THE FLORIDA SENATE
APPEARANCE RECORD

2/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic

Name
Jessica Evans

Job Title
Teacher

Address
11048 Fenimore Ln

Phone
386-931-0402

Email
jliywe@yahoo.com

City
Palm Coast
State
FL
Zip
32137

Speaking: ☐ For ☐ Against ☐ Information
Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing
Self

Appearing at request of Chair: ☐ Yes ☐ No
Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2-25-2020

Bill Number (if applicable): SB 1220

Amendment Barcode (if applicable):

Topic: ________________________________

Name: Susan J. Grego

Job Title: Teacher

Address: 230 Boulder Rock Dr

Phone: ________________________________

Palm Coast, FL 32137

City: __________________ State: __________ Zip: __________

Email: pinkfloatsk@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against

(The Chair will read this information into the record.)

Representing: [ ] self

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
2/25/2020

Meeting Date

Topic SB1220 Education

Name Linda Muir

Job Title Teacher

Address 19 Zarach Pl

Street Palm Coast, FL 32164

City State Zip

Phone 386-627-6856

Email lindamuire@gmail.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Flagler County Teachers Self

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

Meeting Date 2/25/20

(Send BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Bill Number (if applicable) SB 1228

Amendment Barcode (if applicable)

Topic Education

Name David Morris

Job Title Teacher

Address 39 Pozo LO Palm Coast FL 32137

Phone 386-627-9248

Email heisanne75@comcast.net

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [X] No

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S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2-25-20

Bill Number (if applicable): SB 1220

Amendment Barcode (if applicable): 

Topic: 

Name: Stacey Smith

Job Title: Teacher

Address: 27 Egan Drive

Street: Palm Coast

City: FL

State: Zip: 32164

Phone: 384-313-6534

Email: ndgirl71@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☑ Against

(The Chair will read this information into the record.)

Representing: Self

Appearing at request of Chair: ☐ Yes ☑ No

Lobbyist registered with Legislature: ☐ Yes ☑ No

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S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Door BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Katie Hansen
Name

Teacher
Job Title

809 N. Anderson St
Address

Bunnell, Fl 32110
Street City State Zip

Phone 386-437-2636

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Self
Representing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
The Florida Senate
Appearance Record

(2/25/20)
Meeting Date

Topic: Education

Name: Phillip Suderman

Job Title: Policy Director

Address: 

Phone: 

Email: 

Speaking: ☑ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing: Americans for Prosperity

Appearing at request of Chair: ☑ Yes ☐ No

Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 02/24/2020

Bill Number (if applicable) SB 1220

Amendment Barcode (if applicable)

Topic EDUCATION

Name CESAR GRAJALES

Job Title COALITIONS DIRECTOR

Address 200 W. COLLEGE AVE.

TALLAHASSEE FL.

Phone 786.260.9283

Email cgrajasales@bелим.org

Speaking: ☑ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

(The Chair will read this information into the record.)

Representing

 Appearing at request of Chair: ☐ Yes ☑ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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The Florida Senate

Appearance Record

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20
Meeting Date

Bill Number (if applicable) 1220

Topic JB 1220

Amendment Barcode (if applicable)

Name Muerette Hyacinthe

Job Title Parent

Address 12040 NE 16 Ave Apt 312

Phone 756 380 12 25

City Miami

State FL

Zip 33161

Email angelica964@yahoo.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

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This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

2-25-20
Meeting Date

SB 1220
Bill Number (if applicable)

Adriana Ortega
Name

parent
Job Title

2420 WoodsEdge Cir.
Address

Orlando, FL 32817
City State Zip

321-217-7765
Phone

athybasi23@gmail.com
Email

Speaking: ☐ For ☑ Against ☐ Information
Waive Speaking: ☑ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☑ No
Lobbyist registered with Legislature: ☐ Yes ☑ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-20
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Name Hannah Plante

Job Title Manager of Legislative Affairs

Address
Street Tallahassee
City FL Zip 32304

Phone 8133611785

Email hplante@sauf.org

Speaking:  □ For  □ Against  □ Information
Waive Speaking:  □ In Support  □ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair:  □ Yes  □ No
Lobbyist registered with Legislature:  □ Yes  □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
<table>
<thead>
<tr>
<th>Topic</th>
<th>SB 1220</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Michelle Porter</td>
</tr>
<tr>
<td>Job Title</td>
<td>Parent</td>
</tr>
<tr>
<td>Address</td>
<td>3000 NW 10th Ave, Miami</td>
</tr>
<tr>
<td>Phone</td>
<td>786-774-6494</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:Chela2480@gmail.com">Chela2480@gmail.com</a></td>
</tr>
<tr>
<td>Speaking</td>
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</tr>
<tr>
<td>Representing</td>
<td></td>
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<tr>
<td>Appearing at request of Chair</td>
<td>Yes</td>
</tr>
<tr>
<td>Lobbyist registered with Legislature</td>
<td>No</td>
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</tbody>
</table>

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The Florida Senate

Appearance Record

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2-25-20

Bill Number (if applicable): 1220

Amendment Barcode (if applicable):

Topic: SB 1220

Name: Nadia Hionides

Job Title: Principal

Address: 4711 Eleventh St.

Phone:

Email:

City: Atlantic Bch

State: FL

Zip: 32233

Speaking: [ ] For [ ] Against [ ] Information

Representing:

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2-25-20

Bill Number (if applicable) 1220

Amendment Barcode (if applicable)

Topic SB 1220

Name Elijah Robinson

Job Title Student

Address

14156 Washburn Ct

Jacksonville, Florida 32250

Phone 904 318-1279

Email Erobinson19@foundation.org

Representing

Speaking: ☑️ For ☐ Against ☐ Information
Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Appearing at request of Chair: ☐ Yes ☑️ No
Lobbyist registered with Legislature: ☐ Yes ☑️ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2/25/20

Bill Number (if applicable) 1220

Amendment Barcode (if applicable)

Topic School Choice

Name Elaine Roberts

Job Title Parent

Address 7028 Sawley Ct

Tallahassee FL 32317

State Zip

Phone 850-567-0538

Email rober5family510@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing self

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date

Topic
Education

Name
Adam Campbell

Job Title

Address
3738 Kenyon Road
Lake Worth FL 33461

Phone 561-452-7748

Email

Speaking:☐ For ☐ Against ☐ Information
Waive Speaking:☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing
Myself

Appearing at request of Chair:☐ Yes ☒ No
Lobbyist registered with Legislature:☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

JR 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic
Education

Rev. James T. Golden
Name

Pastor: AME Church Social Action
Job Title

4815 11th Ave Cir E
Address

Bradenton, FL 34208
City State Zip

Phone 941-773-4031

Email jamesregold@aol.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against
(The Chair will read this information into the record.)

Representing
Pastor For Florida Children

Appearing at request of Chair:  Yes  No
Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2-25-2020

Topic

Name JASON SURRANSEN

Job Title PUBLICIAN

Address 1746 MIDLAV AVE

Street OAK LN

City EN 32759

State Zip

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
2-25-2020

Meeting Date

Topic: Education

Name: Bryan Porter

Job Title: Electrician

Address: 24961 NE 135th St.

Phone: 386-682-8243

Email: BP179@Gmail.com

Speaking: □ For □ Against □ Information

Representing: Self

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 2/25/2020

Topic: 

Name: Chris Rusnak

Job Title: Teacher

Address: 512 Cliff Drive

City: Temple Terrace

State: FL

Zip: 33617

Phone: 813-947-3972

Email: crusnak97@gmail.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing: 

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/20/20

Bill Number (if applicable): SB 1220

Amendment Barcode (if applicable):

Topic: Family Empowerment Scholarship

Name: Linda Edson

Job Title: Legislative Chair - Volunteer

Address: 1841 Myrick Rd

Tallahassee, FL 32303

State: Zip:

Phone: 850-510-2729

Email: edsonl@outlook.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing: Florida Retired Educators Association

Appearing at request of Chair: □ Yes X No

Lobbyist registered with Legislature: □ Yes X No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 25 Feb 2020

Bill Number (if applicable) SB 1220

Amendment Barcode (if applicable)

Topic

Name Johnny A. Green, Sr.

Job Title Education

Address 10487 Avelar Ridge Dr.

Phone 813-767-8865

Address 10487 Avelar Ridge Dr.

Email Johnny.A.Green@fllegislature.com

Phone 813-767-8865

Speaking: [ ] For [X] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against
(The Chair will read this information into the record.)

Representing

Hillsborough Classroom Teacher Ass.

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2/25/2020

Bill Number (if applicable) SB1220

Topic Voucher Expansion

Name Samantha Mrozowski

Job Title Teacher

Address 4415 Grass Ave

Phone 863-464-7356

Sebring FL 33875

Email spage1983@gmail.com

State Zip

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

(2-25-2020)
Meeting Date

SB1320
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic Voucher Expansion

Name Nicholas Mrzewinski

Job Title Teacher

Address 4115 Grass Ave
Street

Seminole FL 33775
City State Zip

Phone 386-747-6510
Email nicholasm@gmail.com

Speaking: [ ] For [ ] Against [ ] Information
Waive Speaking: [ ] In Support [X] Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: [ ] Yes [ ] No
Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
2/25/20

Meeting Date

Topic Education

Name Michael Nelson

Job Title Heavy Equipment Operator

Address 1628 SW 4th Street

Phone 352 499 8041

Email

Speaking: □ For □ Against □ Information

Representing Myself

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

 Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2/25/2020

Bill Number (if applicable) SB 1220

Amendment Barcode (if applicable)

Topic

Name Caitlin Gille

Job Title Assoc. Professor

Address 6410 Riverview Dr

Phone 352-573-1776

Email cmgille@gmail.com

City Tampa

State FL

Zip 33604

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against

(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDASENATE
APPEARANCE RECORD

Meeting Date 2/25/2020

Topic Education

Name Chonavia (sha-nay-vah) Smith

Job Title Organizer

Address 2718 Candlewood Ct

Phone 407-225-3731

Email csmith@usa.gov

Speaking: [ ] For [ ] Against [ ] Information

Representing [ ] Myself

Appearing at request of Chair: [ ] Yes [ ] No

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Lobbyist registered with Legislature: [ ] Yes [ ] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Topic

Name

Job Title

Address

Phone

Email

Speaking: □ For ☒ Against □ Information

Waive Speaking: □ In Support □ Against

(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: □ Yes ☒ No

Lobbyist registered with Legislature: □ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
2-25-2020

Meeting Date

Topic: Education

Name: Barbara Bridgett

Job Title: ESE Teacher

Address: 3704 41st Lane N.

City: Royal Palm Beach

Phone: 561-436-9484

Email: bridgettb117@gmail.com

State: FL

Zip: 33411

Speaking: ☑ For ☐ Against ☐ Information

Representing: Palm Beach County CTA, AFT Local 7451

Appearing at request of Chair: ☑ Yes ☐ No

Waive Speaking: ☐ In Support ☑ Against

(The Chair will read this information into the record.)

Lobbyist registered with Legislature: ☑ Yes ☐ No

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This form is part of the public record for this meeting.
2/25/2020

Meeting Date

Topic: Education

Name: April D. Isaacs

Job Title: Teacher

Address: 1111 Kings Pt. Blvd.

Street: Kissimmee

City: Florida

State: Zip: 34744

Phone: (417) 414-1670

Email: adisaacs0039@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

(The Chair will read this information into the record.)

Representing: Osceola County Educators Association

 Appearing at request of Chair: ☐ Yes ☑ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25/2020

Bill Number (if applicable): 1220

Amendment Barcode (if applicable):

Topic: SB 1220 Education

Name: Paul Hamilton

Job Title: Library Media Specialist

Address: 176 SE 27th Way

Street: 

City: Boynton Beach

State: FL

Zip: 33435

Phone: 561-236-1534

Email: Vade176@gmail.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against

(The Chair will read this information into the record.)

Representing: Palm Beach County Classroom Teachers

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

(2-25-2020)

Meeting Date

Topic

Family Empowerment Scholarship

Name

Debbie Northing

Job Title

Legislative Director

Address

215 S. Monroe St.

Street

Tallahassee FL 32311

City

State

Zip

Phone


Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against
(The Chair will read this information into the record.)

Representing

Foundation for Florida's Future

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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2/25/2020

Meeting Date

The Florida Senate

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Topic 

Education

Name

Laura Lovett-Esquina

Job Title

District Records Clerk

Address

3610 Avenue Q

Ft. Pierce, FL 34947

City State Zip

Phone

772-332-8737

Email

maladiluv18@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing

[ ] Self

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

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S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic Education

Name LaShawn Floyd

Job Title Education Support Professional

Address 1583 SE Tiffany Club Pl

Phone 561-201-1214

Email Lafl0 73@hotmail.com

Address 1583 SE Tiffany Club Pl

State

Zip

Speaking: □ For ✔ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing Concerned Citizens/ Education Assoc. St. Luce Co.

Appearing at request of Chair: □ Yes ✔ No

Lobbyist registered with Legislature: □ Yes ✔ No

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This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 25, 2020
Meeting Date

SB 1220
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic Education

Name Colleen Peterson

Job Title Teacher

Address 958 SW Whittier Terrace

Port St. Lucie, FL 34953

Phone 772-224-5545

Email Colleen.Peterson14@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Representing Education Assn. of St. Lucie County - Teacher

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date:

Bill Number (if applicable):

Amendment Barcode (if applicable):

Topic: Education

Name: Nicole A. Owens

Job Title: High School Teacher

Address: 5131 E Portofino Landing Blvd #204

Phone: 722-247-0427

Email: menick.e@gmail.com

City: Fort Pierce

State: Fl.

Zip: 34947

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☑ Against

(The Chair will read this information into the record.)

Representing: St. Lucie EA SL #3416 (Teacher union)

Appearing at request of Chair: ☑ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2-25-2020

Bill Number (if applicable): SB 1220

Amendment Barcode (if applicable):

Topic: Voucher Expansion

Name: Roger Simmermaker

Job Title: CEO/President

Address: 13112 Acornmink Ln.

Phone: 407-234-4626

Email: how2buyamerican@gmail.com

City: Orlando

State: FL

Zip: 32825

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [X] Against
(The Chair will read this information into the record.)

Representing: Consumer Patriotism Corp.

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 2/25/20

Topic: Education

Name: Lare Allen

Job Title: Dean of Students

Address: 618 Robin Ln
Kissimmee, FL 34759

Phone: 407-837-2243
Email: N8tivestuff@ymail.com

Speaking: ☐ For ☐ Against ☐ Information
Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)
Representing: Osceola County Education Assoc

Appearing at request of Chair: ☐ Yes ☐ No
Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
The Florida Senate

Appearance Record

02/25/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Topic Education

Name Melissa Merriweather

Job Title Instructional Paraprofessional

Address 2414 NE 32nd St.

Ocala, Fl 34479

Phone 352.299.6456

Email mmkinder07@yahoo.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☑ Against
(The Chair will read this information into the record.)

Representing Marion Essential Support Personnel

Appearing at request of Chair: ☐ Yes ☐ No
Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
02/25/2020

Topic: Education

Name: Charles Fox

Job Title: Teacher

Address: 60027 Preserve Cir, Fort Myers, FL 33966

Phone: 239-940-5095

Email: charlesfox@aol.com

Speaking: Yes

Representing: Self

Appearing at request of Chair: Yes

Lobbyist registered with Legislature: No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 02-25-2020

Bill Number (if applicable): 1220

Amendment Barcode (if applicable):

Topic: EDUCATION

Name: ROBERT CHAPMAN

Job Title: STATE EMPLOYEE

Address: 3677 WILLIAM RAY ROAD

Phone

PLANT CITY, FLORIDA 33565

Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing:

 Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

(Send BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25/2020

Bill Number: SB 1220

Amendment Barcode: (if applicable)

Topic: Education

Name: Kimbra Hanshaw

Job Title: 6th Gr. Sci Teacher (16 yrs.)

Address: 1687 Steve Roberts Special

Zolfo Springs, Fl 33890

Phone: 863-781-7931

Email: Kimhanshaw2@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing: [ ] In Support [x] Against

+[ ] In Support

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
Meeting Date: 2/26/2020

Topic: Education

Name: Natalia Haynes

Job Title: 

Address: 749 Pender Way, Orlando, FL 32822

Phone: 

Email: stenzywork@gmail.com

Speaking: □ For □ Against □ Information Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing: 

Appearing at request of Chair: □ Yes □ No Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
02/26/2020
Meeting Date

SB 1220
Bill Number (if applicable)

Education
Topic

Shaquille Mor icy
Name

Date

Article

Address

Street

City        State        Zip

Phone

Email

Speaking:  For   Against   Information

Waive Speaking:  In Support   Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair:  Yes   No

Lobbyist registered with Legislature:  Yes   No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

02/25/20
Meeting Date

SB 1220
Bill Number (if applicable)

Education
Topic
Alexander H. Smith
Name
Commissioner City of Apopka
Job Title
569 Straithclyde Court
Address
Apopka 7L 32712
City State Zip

Phone 407-721-4759
Email smithcongresslab.com

Speaking: ☐ For ☒ Against ☐ Information
Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Pastor's for Florida Children

Appearing at request of Chair: ☐ Yes ☒ No
Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic  
Public Education  

Name  
Ram Bergsma "Joey's grandma"

Job Title

Address  
619 South 12 St

561-586-2094

Email  
lovejoey@bellsouth.net

Phone

Representing  
my grandchildren

Street

LW Beach, FL 33460

Zip

Speaking:  For □  Against □  Information □  
Waive Speaking:  In Support □  Against □
(The Chair will read this information into the record.)

Appearing at request of Chair:  Yes □  No □  
Lobbyist registered with Legislature:  Yes □  No □

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This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date
9-25-2020

Topic
Public Education

Name
Nancy Smithem

Job Title
Retired

Address
1398 Bombadil Drive
Tallahassee, FL 32303

Phone

Email

Speaking: ☐ For ☐ Against ☐ Information
Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing
Public Schools

Appearing at request of Chair: ☐ Yes ☒ No
Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2/26/20

Bill Number (if applicable) 1220

Amendment Barcode (if applicable)

Topic Family Empowerment Scholarship Program

Name Angie Doherty

Job Title Teacher

Address 4410 NW 15th Pl
Street
City Gainesville

State Fl
Zip 32605

Phone (352) 519-9005

Email doherty1aj@aol.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☑ Against
(The Chair will read this information into the record.)

Representing ☐ self

 Appearing at request of Chair: ☑ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☑ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25/2020

Bill Number (If applicable): 1220

Amendment Barcode (If applicable): 

Topic: Education

Name: James Herzog

Job Title: Associate Director for Education

Address:

Street:

City: _______ State: _______ Zip: _______

Phone: (850) 205-6827

Email: jherzog@flaccbi.org

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Representing: Florida Conference of Catholic Bishops

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 2-25-2020

Bill Number: SB 1220

Topic: EDUCATION

Name: Frank Ancel

Job Title: 

Address: 21180 Via Eden
1301 N Ocean Blvd
Boca Raton, FL 33431

Phone: 

Email: 

Speaking: □ For    □ Against    □ Information
Waive Speaking: □ In Support    □ Against
(The Chair will read this information into the record.)

Representing: SELF

Appearing at request of Chair: □ Yes    □ No
Lobbyist registered with Legislature: □ Yes    □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
I. Summary:

PCS/CS/SB 1568 modifies Florida’s career and technical education program to provide supports for students in work-based learning programs, modify funding incentives for industry certifications, and establish a process to evaluate innovative delivery of career instruction. Specifically, the bill:

- Requires that certain individuals in a work-based learning experience are deemed to be employees of the state for purposes of workers’ compensation, and:
  - Establishes a reporting requirement about students participating in specified programs or courses.
  - Specifies responsibilities for the costs of workers’ compensation and payments to the Division of Risk Management of the Department of Financial Services.

- Changes provisions related to Career and Professional Education (CAPE) industry certifications by:
  - Clarifying Commissioner of Education authority regarding CAPE industry certifications and CAPE Digital Tool Certificates.
  - Modifying the award and use of CAPE industry certification bonus funds relating to credit awarded under statewide articulation agreements.
  - Providing bonus funds for aviation and aerospace industry certifications.

- Requires the Commissioner of Education to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.
The revisions to the award of CAPE industry certification bonus funds and bonus funds for completion of Federal Aviation Administration industry certifications may affect the amount a school district annually earns in the FEFP or the amount a school district or college earns in Performance Based Incentive funding in the General Appropriations Act depending on the number of industry certifications completed by students; however, the revisions to the bonus awards do not require an additional appropriation.

The bill requires the Department of Education to pay the Division of Risk Management four equal payments of $470,000 in the 2020-2021 fiscal year to cover the additional claim costs for participants in preapprenticeship and work-based learning programs.

The fiscal impact is discussed in section V.

The bill takes effect on July 1, 2020.

II. Present Situation:

Work-based Learning

Federal legislation defines work-based learning (WBL) as “sustained interactions with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in depth, firsthand engagement with the tasks required in a given career field, that are aligned to curriculum and instruction.” Learning set in the real-world context of work not only makes academic learning more accessible to many students but also increases their engagement in schooling. WBL can play a crucial role in improving outcomes for at-risk students by increasing their engagement in learning, whether in or out of school.\(^1\)

WBL takes many forms, such as internships, job shadowing, service learning or preapprenticeships, and is defined by activities and experiences that occur when a student or worker:\(^3\)

- Goes to a workplace or works with an employer.
- Does meaningful job tasks that develop his or her skills, knowledge, and readiness for work and support entry or advancement in a particular career field.

WBL is comprised of identified courses that involve on-the-job training which is an instructional method whereby students acquire knowledge and skills exclusively on-site with a business or industry partner instead of a traditional classroom setting. WBL may also be delivered through

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\(^1\) Perkins V (The Strengthening Career and Technical Education for the 21st Century Act) and other federal legislation reference and support work-based learning, including in the Every Student Succeeds Act of 2015 (ESSA), and the Workforce Innovation and Opportunity Act of 2014 (WIOA).

\(^2\) Email from Jared Ochs, Director of Legislative Affairs, Florida Department of Education (Jan. 23, 2020) (on file with the Senate Committee on Education).

utilization of the cooperative method of instruction which is delivered through formal classroom instruction and on-the-job learning, on-site, with a business or industry partner.\(^4\)

Recent research, policy literature, and federal legislation suggest that comprehensive WBL programs contain three key components: the alignment of classroom and workplace learning; application of academic, technical, and employability skills in a work setting; and support from classroom or workplace mentors.\(^5\)

In 2018-2019, there were 19,992 students enrolled in secondary on-the-job training, preapprenticeship, work experience, and other WBL courses.\(^6\)

**Workers’ Compensation**

Workers’ compensation is a form of insurance designed to provide wage replacement and medical benefits for employees who are injured in the course of employment, in exchange for giving up the right to sue the employer for negligence. In Florida, workers’ compensation is governed by ch. 440, F.S., the “Workers’ Compensation Law.” The law prescribe coverage requirements, medical and indemnity benefits, the rights and responsibilities of employers, injured employees, medical providers, and carriers, as well as procedures for dispute resolution.

In general, employers are required to provide medical and indemnity benefits to a worker who is injured due to an accident arising out of and during the course of employment.\(^7\) For such injuries, an employer is responsible for providing medical treatment,\(^8\) and compensation in the event of employee disability or death.\(^9\) Specific employer coverage requirements are based on the type of industry, number of employees, and entity organization.\(^10\)

**State Risk Management Program**

The Division of Risk Management (DRM)\(^11\) located within the DFS is responsible for ensuring that state agencies and universities participating in the state’s self-insurance program receive quality coverage for workers’ compensation, general liability, federal civil rights, auto liability, and property insurance at reasonable rates. The DRM’s operations and the state’s insurance coverage are funded by annual agency assessments, which are deposited into the State Risk Management Trust Fund (SRMTF). The SRMTF provides coverage that protects state property

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\(^4\) Email from Jared Ochs, Director of Legislative Affairs, Florida Department of Education (Jan. 23, 2020) (on file with the Senate Committee on Education).


\(^6\) Email from Jared Ochs, Director of Legislative Affairs, Florida Department of Education (Jan. 23, 2020) (on file with the Senate Committee on Education).

\(^7\) Section 440.09(1), F.S.

\(^8\) Section 440.13, F.S.

\(^9\) See ss. 440.15 and 440.16, F.S.


\(^11\) Section 20.121(2)(h), F.S.
and workforce members that are exposed to the risk of financial losses through damage, injuries, and alleged negligent or improper acts.\(^\text{12}\)

**Career and Professional Education Industry Certifications**

The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency.\(^\text{13}\)

In 2007, the Legislature passed the Career and Professional Education (CAPE) Act,\(^\text{14}\) to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.\(^\text{15}\)

An industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of a credential that is nationally recognized.\(^\text{16}\) Industry certifications that generate bonus funds for school districts are included on the CAPE Industry Certification Funding List,\(^\text{17}\) which also contains the industry certifications on the career pathways list approved for the Florida Gold Seal Vocational Scholars award.\(^\text{18}\)

The Department of Education (DOE) identifies career certificates, industry certifications, and career courses. At least annually, the DOE and the commissioner must identify additional career certificates, industry certifications, and career courses, which includes CAPE industry certifications identified on the CAPE Industry Certification Funding List that must be applied in the distribution of funding to school districts.\(^\text{19}\)

The CAPE Act provides multiple options for students to attain digital skills through digital tools and industry certifications.\(^\text{20}\) Digital tools are certificates reflecting core computer skills. The DOE is required to annually identify, and the commissioner may recommend, up to 15 CAPE Digital Tool certificates for inclusion on a CAPE Industry Certification Funding List.\(^\text{21}\)

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\(^\text{13}\) Section 1004.92(1), F.S.

\(^\text{14}\) Chapter 2007-216, L.O.F.

\(^\text{15}\) Section 1003.491, F.S.

\(^\text{16}\) Rule 6A-6.0573(2)(e), F.A.C.

\(^\text{17}\) The “CAPE Industry Certification Funding List” means a list of industry certifications, certificates, and courses adopted by the State Board of Education for implementation of the Florida CAPE Act. Rule 6A-6.0573(2)(b), F.A.C.

\(^\text{18}\) Section 1008.44(1)(a), F.S. See also s. 1009.536, F.S., for the requirements of a Florida Gold Seal Vocational Scholars award.

\(^\text{19}\) Section 1008.44(1), F.S.

\(^\text{20}\) Section 1003.4203, F.S.

The commissioner may limit CAPE industry certifications and CAPE Digital Tool certificates to students in certain grades based on formal recommendations by providers of CAPE industry certifications and CAPE Digital Tool certificates.\textsuperscript{22}

**Funding for Workforce Education Programs**

Workforce education may be conducted by a Florida College System (FCS) institution or a school district, and includes:\textsuperscript{23}

- Adult general education programs designed to improve the employability skills of the state’s workforce.
- Career certificate programs.
- Applied technology diploma programs.
- Continuing workforce education courses.
- Degree career education programs.
- Apprenticeship and preapprenticeship programs.

A school district or an FCS institution that provides workforce education programs receive funds in accordance with distributions for base and performance funding established by the Legislature in the General Appropriations Act (GAA).\textsuperscript{24}

Performance funding for industry certifications for school district workforce education programs\textsuperscript{25} and FCS institutions\textsuperscript{26} is contingent upon a specific appropriation in the GAA and is determined by criteria specified in law,\textsuperscript{27} which specifies that each school district or FCS institution must be provided $1,000 for each industry certification earned by a workforce education or FCS institution student. If funds are insufficient to fully fund the calculated total award, such funds are prorated.

**Bonus Funds for CAPE Industry Certifications**

School districts are eligible for bonus funds for student completion of specified career courses and industry certifications. In addition to full-time equivalent (FTE) bonus funding for CAPE Digital Tool Certificates, CAPE Innovation courses,\textsuperscript{28} and CAPE Acceleration certifications,\textsuperscript{29} the district may receive:

\textsuperscript{22} Section 1008.44(4)(b), F.S.
\textsuperscript{23} Section 1011.80(1) and (2), F.S.
\textsuperscript{24} Section 1011.80(7)(a), F.S.
\textsuperscript{25} Section 1011.80(7)(a), F.S.
\textsuperscript{26} Section 1011.81(2), F.S.
\textsuperscript{27} See ss. 1011.80(7) and 1011.81(2), F.S.
\textsuperscript{28} CAPE Innovation courses are up to five courses annually approved by the commissioner that combine academic and career content, and performance outcome expectations that, if achieved by a student, shall articulate for college credit and be eligible for additional full-time equivalent membership. Section 1003.4203(5)(a), F.S.
\textsuperscript{29} CAPE Acceleration are industry certifications, annually approved by the commissioner, that articulate for 15 or more college credit hours and, if successfully completed, are eligible for additional FTE bonus funds. Section 1003.4203(5)(b), F.S.
• A value of 0.1 or 0.2 FTE student membership for each student who completes a career-themed course or courses with embedded CAPE industry certifications and who earns a CAPE industry certification.
• A value of 0.2 FTE for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the SBE.
• A value of 0.1 FTE for each student who is issued a CAPE industry certifications that does not articulate for college credit.

Each district must allocate at least 80 percent of the bonus funds provided for CAPE industry certification to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.  

In 2019-2020, the estimated value of the FTE bonus for career-themed courses and industry certifications in all school districts is approximately $81.7 million.

Pathways in Technology Early College High School (P-TECH)

P-TECH, co-developed by the IBM Corporation, is an approach to education that blends high school, community college and workplace skills. P-TECH schools are primarily public schools, governed and supported by the local school district, although there are some examples of similar charter schools. P-TECH is designed to help close the achievement gap among underserved youth. Within six years of enrolling in ninth grade, students graduate with their high school diplomas, no-cost associate degrees and applicable credentials, and participate in workplace learning opportunities.

P-TECH schools are defined by a set of six key tenets:
• Public-private partnership;
• Six year integrated program;
• Workplace learning including internships;
• Open enrollment with no grade or testing requirements;
• Cost-free; and
• First in-line for job openings with industry partners.

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30 A 0.1 FTE bonus would equal $427.95, and a 0.2 FTE bonus would equal $855.90; based on the base student allocation of $4,279.49 in the Florida Education Finance Program, identified in Specific Appropriation 93, s. 2, ch. 2019-115, L.O.F.
31 A “career-themed course” is a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education. Career-themed courses have industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity. Section 1003.493(1)(b), F.S.
32 Section 1011.62(1)(o)2., F.S.
33 P-TECH, P-TECH About http://www.ptech.org/about/ (last visited Dec. 17, 2019).
35 Id.
The P-TECH model has expanded to 200 schools\(^{36}\) in 23 countries and eight states\(^{37}\), serving 100,000 students\(^{38}\) since its founding in 2011. The P-TECH programs currently in operation have developed 12 different pathways based on regional workforce demand, including:\(^{39}\)

- Construction technology;
- Process technology;
- Cybersecurity;
- Business;
- Mechanical engineering;
- Energy management;
- Healthcare;
- Advanced manufacturing;
- Machining;
- Early childhood education;
- Computer science; and
- Networking technology.

### III. Effect of Proposed Changes:

The bill modifies Florida’s career and technical education program to provide supports for students in work-based learning programs, modify funding incentives for industry certifications, and establish a process to evaluate innovative delivery of career instruction. Specifically, the bill:

- Requires that certain individuals in a work-based learning experience are deemed to be employees of the state for purposes of workers’ compensation, and:
  - Establishes a reporting requirement about students participating in specified programs or courses.
  - Specifies responsibilities for the costs of workers’ compensation and payments to the Division of Risk Management of the Department of Financial Services.
- Changes provisions related to Career and Professional Education (CAPE) industry certifications by:
  - Clarifying Commissioner of Education authority regarding CAPE industry certifications and CAPE Digital Tool Certificates.
  - Modifying the award and use of CAPE industry certification bonus funds relating to credit awarded under statewide articulation agreements.
  - Providing bonus funds for aviation and aerospace industry certifications.
- Requires the Commissioner of Education to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

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Work-based Learning

The bill creates s. 446.541, F.S. to provide a definition of “work-based learning” as synonymous with “on-the-job training” and means interactions with industry or community professionals in off-campus workplaces which foster in-depth, firsthand engagement with the tasks required in a given career field and which are aligned to curriculum and instruction, through an apprenticeship program or a pre-apprenticeship program or as a student in a course identified in the Course Code Directory (CCD).

The bill provides that the following participants in work-based learning are deemed to be employees of the state for purposes of workers’ compensation, and insured in the manner provided pursuant to chapter 284, except as otherwise provided:

- Individuals 18 years of age or younger who are enrolled in a Florida-registered preapprenticeship program that requires work-based learning or a registered apprenticeship program administered under ss. 446.011 through 446.092, F.S.
- Any students in grades 6 through 12 who are enrolled in a course identified in the CCD which incorporates a work-based learning component or an activity that is unpaid.

The bill establishes a reporting requirement for program and course providers and the Department of Education (DOE), as follows:

- Each preapprenticeship program and apprenticeship program registered with the DOE, and each school board, community college, or career center offering courses identified in the CCD that incorporates a work-based learning component or an activity that is unpaid, must provide the following information to the DOE not later than 30 days after a participant begins his or her participation in work-based learning:
  - The name of each such participant;
  - The amount hourly compensation to be paid to such participant, if any; and
  - The number of hours per week that such participant will be receiving on-the-job training as a participant in and required for the preapprenticeship program, apprenticeship program, or course which incorporates a work-based learning component or an activity that is unpaid.
- The DOE is required to provide such information to the Division of Risk Management of the Department of Financial Services (division), together with any additional information required by the division for the purposes of administering chapter 284, regarding state risk management.

The bill establishes the responsibility for payment of workers’ compensation costs, and a process for payments to the division. The bill specifies that workers’ compensation costs associated with participants must not be included or combined with the premiums otherwise due from the DOE relating to state risk management in chapter 284. Such costs must be billed separately to the DOE’s workforce education programs and are payable solely from appropriations provided to the DOE’s workforce education programs or specifically for the payment of such costs.

40 The Course Code Directory (CCD) lists all public preK-12 and postsecondary career and technical education courses available for use by school districts. Programs and courses funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education. Rule 6A-1.09441, F.A.C.
The bill provides that, notwithstanding provisions in ss. 284.36 and 284.44, F.S., relating to premium payments and salary indemnification costs, the DOE is responsible for paying workers’ compensation costs for such participants who are entitled to workers’ compensation benefits, solely from funds appropriated to the DOE for such purpose. Coverage for such workers compensation benefits must be provided by the division. The bill specifies that, for the 2020-2021 fiscal year, the DOE must pay the division $470,000 on August 15, 2020, on November 15, 2020, on February 1, 2021, and on May 15, 2021, for such costs. For subsequent fiscal years, the division must bill the DOE for such workers compensation costs quarterly, based on such costs from the preceding state fiscal year. The DOE must pay such quarterly bills on August 15, on October 15, on February 15, and on May 15, of each fiscal year.

Career and Professional Education Industry Certifications

The bill modifies s. 1008.44, F.S., to require that the DOE and the commissioner identify industry certifications for the CAPE industry certification list that are associated with aviation-related and aerospace-related occupations. The bill specifies that such industry certifications are eligible for additional full-time equivalent membership bonus funds. The bill also provides greater authority to the commissioner to limit CAPE industry certifications and digital tools to certain grades for the purposes of calculating additional FTE membership for the industry certification bonus funding. These limitations no longer require recommendations by CAPE providers.

The bill also changes a reference from the Florida Gold Seal Vocational Scholars award to the Florida Gold Seal CAPE Scholars award for the identification of CAPE industry certifications on the career pathways list. This corrects the reference to the appropriate Bright Futures Scholarship Program award. The Florida Gold Seal Vocational Scholars award does not require completion of CAPE industry certifications. The Florida Gold Seal CAPE Scholars award requires a student to earn a minimum of five postsecondary credit hours through approved CAPE industry certifications which articulate for college credit.\(^{41}\)

Funding for Workforce Education Programs

The bill maintains in ss. 1011.80 and 1011.81, F.S., the $1,000 bonus for school districts and FCS institutions for industry certifications earned by students. In addition, effective on July 1, 2021, for each professional-level, Federal Aviation Administration (FAA) industry certification earned by a student, each school district or FCS institution must be provided a total of $6,000. If funds are insufficient to fully fund the calculated total award, such funds must be prorated.

Bonus Funds for CAPE Industry Certifications

The bill modifies, effective on July 1, 2021, the FTE bonus funding in s. 1011.62, F.S., for CAPE industry certifications with a statewide articulation agreement for college credit, and specifies that:
- A value of 0.2 FTE is calculated for a CAPE industry certification that has a statewide articulation agreement of 4 to 14 college credits.

\(^{41}\) Section 1009.536(2), F.S.
• A value of 0.2 FTE is calculated for a CAPE industry certification that has a statewide articulation agreement of 1 to 3 college credits and is deemed by the department to be of sufficient rigor and to be linked to a high-skill occupation.
• A value of 0.1 FTE is calculated for all other CAPE industry certifications with a statewide articulation agreement of 1 to 3 college credits.
• A supplemental value of 0.2 FTE is calculated for industry certifications identified on the CAPE Industry Certification Funding List as leading to employment in aviation-related or aerospace-related occupations and meeting specified criteria prescribed by the DOE.

The bill removes the prohibition that additional FTE calculations for an elementary or middle school student may not exceed 0.1 for certificates or industry certifications earned in the same fiscal year. The bill also provides flexibility to the school district by removing the requirement that the bonus funds must be provided to the teachers employed by the district in the year that the FTE bonus funds is included in the calculation.

According to information published on the DOE website, there are 115 industry certification articulation agreements that generate from 1 to 3 credits, and 25 articulation agreements that generate from 4 to 14 college credits.⁴² In addition to the three FAA Aviation programs, there is only one other articulation agreement that generates over 14 college credits;⁴³ the bonus funding level for that agreement is unclear.

This modification will provide a lower bonus (0.1 from 0.2 FTE) for those CAPE industry certifications that generate from 1 to 3 colleges credits in an articulation agreement, but have not been identified by the DOE as rigorous or linked to a high-skill occupation.

The bill also specifies that the 20 percent of bonus funds that are not required to be allocated to the program that generated the bonus may be used for other CAPE program expenses, such as administrative costs, which may not exceed five percent of the funds provided, and new industry certification programs. All such funds must be used for CAPE programs, and may not be used to supplant operations funds, such as teacher salaries and other costs that are funded with non-CAPE funds for other courses.

Pathways in Technology Early College High School (P-TECH)

The bill requires the P-TECH program, or a similar program, to achieve the following:
• Incorporate secondary and postsecondary education with workforce education and work experience in a flexible 6-year integrated model.
• Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience, within six years after enrolling in the 9th grade.
• Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.
• Support student success through flexible class scheduling, advising and mentoring, and other wrap-around services.

⁴³ The agreement is: MSSC Certified Production Technician (CPT) (15 credits). Id.
• Provide seamless articulation to Florida’s postsecondary institutions.

The commissioner’s report must, at a minimum, include the following:
• Timelines for implementing a P-TECH program, or similar program, including courses of study which support completion in four to six years and which meet regional workforce demand.
• A funding model that provides the P-TECH program, or similar program, at no cost to students and may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.
• Partnerships with industries and businesses, including private investment, work-based job training, internships, and priority placement for job opportunities after graduation.
• Recommendations for modifications, if any, to the school and school district accountability requirements.  

The bill provides that this section of law will be effective upon becoming law and expire on December 1, 2020.

The bill takes effect on July 1, 2020, unless otherwise specified.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

44 Section 1008.34, F.S.
B. Private Sector Impact:

School districts that pay workers’ compensation expenses for participants in work-based learning programs would likely see a reduction in workers’ compensation costs. The reduction in workers’ compensation costs is not known.\textsuperscript{45}

C. Government Sector Impact:

The Division of Risk Management (DRM) would incur additional claims costs for covering participants in preapprenticeship and work-based learning programs.\textsuperscript{46}

Using a two percent annual claim rate seen in similar programs, and assuming most of the estimated 46,606 participants were working on a part-time basis, a total of 23,303 FTE participants could be added to the count for workers’ compensation coverage, with an additional 466 new claims per year. Such an increase in the number of claims would require a minimum of two additional FTE in order to handle the increased workload. The estimated recurring cost of this FTE is $119,400.

Based on statistics for other programs, the DRM has paid an average of $3,176 per year, per claim, for medical, legal, and expense costs. For 466 new claims each year, the DRM estimates annual medical claim costs, legal costs and expenses of approximately $1,480,016 would be paid for the new participants.

The bill requires the Department of Education to pay the Division of Risk Management four equal payments of $470,000 in the 2020-2021 fiscal year to cover the additional claim costs for covering participants in preapprenticeship and work-based learning programs. For subsequent years, the bill specifies further that these premium costs will be billed separately to the department’s workforce education programs and are payable solely from appropriations provided for such programs or specifically for the payment of such costs.

The restructuring of the CAPE industry certification bonus awards in the FEFP will potentially affect the amount of bonus funding that each school district earns. In addition, the new $6,000 bonus for Federal Aviation Administration industry certifications for the Performance Based Incentive funding in the GAA for school district workforce programs and colleges will also potentially increase the earned bonus funds for school districts and colleges. No additional appropriation is required.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

\textsuperscript{45} Florida Department of Financial Services, 2020 Legislative Bill Analysis (Feb. 17, 2020).

\textsuperscript{46} Id.
VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1008.44, 1011.62, 1011.80 and 1011.81.

This bill creates section 446.541 of the Florida Statutes.

This bill creates an unnumbered section of law.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

( Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Education on February 25, 2020:

The committee substitute:

- Removes from the bill the provisions relating to:
  - Apprenticeship and preapprenticeship programs, the State Apprenticeship Advisory Council, and the Florida Pathways to Career Opportunities Grant Program.
  - The change from a required to an optional course the middle school course in career and education planning and the authorization for the Florida Virtual School to offer the course.
  - The authorization for school districts and regional consortia to recommend career-themed courses for approval.
  - The modifications to the use of computer science teacher incentive funds.
  - The requirement for the Articulation Coordinating Committee to identify specified mathematics pathways.

- Maintains the provision relating to the requirement that certain individuals in a work-based learning experience are deemed to be employees of the state for purposes of workers’ compensation, with the following modifications:
  - Establishes a reporting requirement about students participating in specified programs or courses.
  - Specifies responsibilities for the costs of workers’ compensation and payments to the Division of Risk Management of the Department of Financial Services.

- Maintains the provisions, related to Career and Professional Education (CAPE) industry certifications but establishes an effective date, which:
  - Clarify Commissioner of Education authority regarding CAPE industry certifications and CAPE Digital Tool Certificates.
  - Modify the award and use of CAPE industry certification bonus funds relating to credit awarded under statewide articulation agreements, effective July 1, 2021.
  - Provide CAPE industry certification, and workforce education and Florida College System bonus funds, for aviation and aerospace industry certifications, effective July 1, 2021.

- Adds to the bill a requirement that the Commissioner submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a
Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.

CS by Education on January 27, 2020:
The committee substitute maintains the substance of the bill, which
• Broadens the scope of apprenticeship and preapprenticeship programs (programs) to additional apprenticeship program sponsors (sponsors) and occupations, and:
  o Clarifies that sponsors are responsible for program supervision, subject to uniform minimum standards developed by the Department of Education (DOE).
  o Clarifies the duties of the DOE regarding apprenticeship and preapprenticeship programs.
  o Revises the membership and scope of the State Apprenticeship Advisory Council.
  o Changes the selection criteria and use of funds for the Florida Pathways to Career Opportunities Grant Program.
• Specifies that students in a preapprenticeship program or courses with a work-based component are deemed to be employees of the state for workers’ compensation purposes.
• Modifies provisions related to elementary and secondary career education to:
  o Make optional the middle school course in career and education planning.
  o Authorize school districts and regional consortia to work with national providers to submit career-themed courses for approval.
  o Modify the requirement for computer science instruction in elementary school, and expand the use of computer science teacher incentive funds.
• Changes provisions related to Career and Professional Education (CAPE) industry certifications to clarify Commissioner of Education authority, associated CAPE scholarship, and also modify the award and use of CAPE industry certification bonus funds.
• Requires the Articulation Coordinating Committee to identify mathematics pathways aligned to programs, meta-majors, and careers.

The committee substitute also:
• Makes technical changes to the section created in the bill regarding work-based learning (WBL) to clarify that the provision in the bill that students in WBL or preapprenticeship programs are employees of the state for workers’ compensation coverage applies only to medical care as a result of injury.
• Includes state universities as partners to provide related technical instruction as a part of an apprenticeship program, and to ensure completers of a registered apprenticeship program is able to receive college credit.
• Reinstates the references to “registered” apprenticeship that was removed in the bill.
• Encourages school districts, Florida College System (FCS) institutions, and state universities to cooperate to ensure that apprenticeship completers can earn college credit.
• Provides flexibility to the Department of Education to determine the “need” for an apprenticeship program in the approval process.
• Specifies that the Florida Virtual School may offer the middle school course in career and education planning.
• Adds industry certifications associated with aviation and aerospace to the requirement for addition to the CAPE industry certification list, and:
  o Provides a 0.2 FTE bonus for CAPE industry certifications in aviation or aerospace, subject to repeal on July 1, 2023.
  o Clarifies that articulation agreements used to determine CAPE industry certification bonus funds are statewide articulation agreements.
  o Limits the use of bonus funds for administrative costs to 5 percent.
• Provides a $6,000 bonus to a school district or FCS institution for each FAA industry certification earned by one of its students.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Appropriations Subcommittee on Education (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Section 446.541, Florida Statutes, is created to read:

446.541 Work-based learning.—

(1) It is the intent of the Legislature that, to the extent possible, school districts place students in paid work experiences for purposes of educational training and work-based
learning.

(2) For purposes of this section, the term “work-based learning” is synonymous with the term “on-the-job training” and means interactions with industry or community professionals in off-campus workplaces which foster in-depth, firsthand engagement with the tasks required in a given career field and which are aligned to curriculum and instruction, through an apprenticeship program or a pre-apprenticeship program or as a student in a course identified in the Course Code Directory.

(3)(a) The following participants in work-based learning are deemed to be employees of the state for purposes of workers’ compensation and shall be insured in the manner provided pursuant to chapter 284, except as otherwise provided in this section:

1. Individuals 18 years of age or younger who are enrolled in a Florida-registered preapprenticeship program that requires work-based learning or a registered apprenticeship program administered under ss. 446.011-446.092.

2. Any students in grades 6 through 12 who are enrolled in a course identified in the Course Code Directory which incorporates a work-based learning component or an activity that is unpaid.

(b) Workers’ compensation costs associated with such participants shall not be included or combined with the premiums otherwise due from the department pursuant to chapter 284, but shall be billed separately to the department’s workforce education programs and are payable solely from appropriations provided to the department’s workforce education programs or specifically for the payment of such costs.
(c) In order for the provisions of paragraph (a) to apply to a participant, each preapprenticeship program and apprenticeship program registered with the department and each school board, community college, or career center offering courses identified in the Course Code Directory which incorporates a work-based learning component or an activity that is unpaid, shall provide the following information to the department not later than 30 days after a participant begins his or her participation in work-based learning:

1. The name of each such participant;
2. The amount hourly compensation to be paid to such participant, if any;
3. The number of hours per week that such participant will be receiving on-the-job training as a participant in and required for the preapprenticeship program, apprenticeship program, or course which incorporates a work-based learning component or an activity that is unpaid.

The department shall provide such information to the Division of Risk Management of the Department of Financial Services, together with any additional information required by the division for the purposes of administering chapter 284.

(d) Notwithstanding ss. 284.36 and 284.44, the department shall be responsible for paying workers’ compensation costs for such participants who are entitled to workers’ compensation benefits pursuant to chapter 440, solely from funds appropriated to the department for such purpose. Coverage for such workers compensation benefits shall be provided by the Division of Risk Management of the Department of Financial Services. The costs
for such coverage shall be paid by the department to the
division. For Fiscal Year 2020-2021, the department shall pay
the division $470,000 on August 15, 2020, on November 15, 2020,
on February 1, 2021, and on May 15, 2021, for such costs. For
subsequent fiscal years, the division shall bill the department
for such workers compensation costs quarterly, based on such
costs from the preceding state fiscal year. The department shall
pay such quarterly bills on August 15, on October 15, on
February 15, and on May 15, of each fiscal year.

Section 2. Paragraph (a) of subsection (1) and paragraph
(b) of subsection (4) of section 1008.44, Florida Statutes, are
amended, and paragraph (f) is added to subsection (1), to read:

1008.44 CAPE Industry Certification Funding List and CAPE
Postsecondary Industry Certification Funding List.—

(1) Pursuant to ss. 1003.4203 and 1003.492, the Department
of Education shall, at least annually, identify, under rules
adopted by the State Board of Education, and the Commissioner of
Education may at any time recommend adding the following
certificates, certifications, and courses:

(a) CAPE industry certifications identified on the CAPE
Industry Certification Funding List that must be applied in the
distribution of funding to school districts pursuant to s.
1011.62(1)(o). The CAPE Industry Certification Funding List
shall incorporate by reference the industry certifications on
the career pathways list approved for the Florida Gold Seal CAPE
Vocational Scholars award. In addition, by August 1 of each
year, the not-for-profit corporation established pursuant to s.
445.004 may annually select one industry certification, that
does not articulate for college credit, for inclusion on the
CAPE Industry Certification Funding List for a period of 3 years unless otherwise approved by the curriculum review committee pursuant to s. 1003.491. Such industry certifications, if earned by a student, shall be eligible for additional full-time equivalent membership, pursuant to s. 1011.62(1)(o)1.

(f) Industry certifications associated with aviation-related and aerospace-related occupations must be identified by the Commissioner of Education and, if earned by a student, are eligible for additional full-time equivalent membership pursuant to s. 1011.62(1)(o)1.e. These industry certifications must be identified on the CAPE Industry Certification Funding List.

(4)

(b) For the purpose of calculating additional full-time equivalent membership pursuant to s. 1011.62(1)(o)1.e., the Commissioner of Education may limit CAPE industry certifications and CAPE Digital Tool certificates to students in certain grades based on formal recommendations by providers of CAPE industry certifications and CAPE Digital Tool certificates.

Section 3. Effective July 1, 2021, paragraph (o) of subsection (1) of Section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in
determining the annual allocation to each district for operation:

(o) Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.—

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. For a CAPE industry certification that has a statewide articulation agreement of 4 to 14 college credits, a value of 0.2 full-time equivalent membership shall be calculated. For a CAPE industry certification that has a statewide articulation agreement of 1 to 3 college credits and is deemed by the department to be of sufficient rigor and to be linked to a high-skill occupation, a value of 0.2 full-time equivalent membership shall be calculated. For all other CAPE
industry certifications with a statewide articulation agreement of 1 to 3 college credits, a value of 0.1 full-time equivalent membership shall be calculated. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall calculate a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual...
enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

e. In addition to the full-time equivalent student membership calculated under paragraphs (a)-(d), a supplemental value of 0.2 full-time equivalent student membership shall be calculated for industry certifications identified on the CAPE Industry Certification Funding List as leading to employment in aviation-related or aerospace-related occupations and meeting specified criteria prescribed by the department.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. The remaining 20 percent may be used for other CAPE program
expenses, such as administrative costs, which may not exceed 5 percent of the funds provided, and new industry certification programs. All such funds must be used for CAPE programs. CAPE funding. This allocation may not be used to supplant funds provided for basic operation of the program, such as teacher salaries and other costs that are funded with non-CAPE funds for other courses.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

   a. A bonus of $25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

   b. A bonus of $50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2.

   c. A bonus of $75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

   d. A bonus of $100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.
Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses awarded to teachers pursuant to this paragraph must be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to receive. A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph.

Section 4. Effective July 1, 2021, paragraph (b) of subsection (7) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(7)

(b) Performance funding for industry certifications for school district workforce education programs is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:

1. Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are
eligible for performance funding. Priority shall be given to the
occupational areas emphasized in state, national, or corporate
grants provided to Florida educational institutions.

2. The Chancellor of Career and Adult Education shall
identify the industry certifications eligible for funding on the
CAPE Postsecondary Industry Certification Funding List approved
by the State Board of Education pursuant to s. 1008.44, based on
the occupational areas specified in the General Appropriations
Act.

3. a. Except as provided in sub-subparagraph b., each school
district shall be provided $1,000 for each industry
certification earned by a workforce education student. If funds
are insufficient to fully fund the calculated total award, such
funds shall be prorated.

   b. For each professional-level, Federal Aviation
   Administration industry certification earned by a workforce
   education student, each school district shall be provided a
total of $6,000. If funds are insufficient to fully fund the
calculated total award, such funds shall be prorated.

Section 5. Effective July 1, 2021, paragraph (c) of
subsection (2) of section 1011.81, Florida Statutes, is amended
to read:

1011.81 Florida College System Program Fund.—
(2) Performance funding for industry certifications for
Florida College System institutions is contingent upon specific
appropriation in the General Appropriations Act and shall be
determined as follows:

   (c)1. Except as provided in subparagraph 2., each Florida
   College System institution shall be provided $1,000 for each
industry certification earned by a student. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

2. For each professional-level, Federal Aviation Administration industry certification earned by a student, each Florida College System institution shall be provided a total of $6,000. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

Section 6. Pathways in Technology Early College High School (P-TECH) program.—

(1) By December 1, 2020, the Commissioner of Education shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education a report with recommendations that address the feasibility of implementing the Pathways in Technology Early College High School (P-TECH) program, or a similar program, in Florida. The P-TECH program must:

(a) Incorporate secondary and postsecondary education with workforce education and work experience through a flexible 6-year integrated model.

(b) Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience within 6 years after enrolling in the 9th grade.

(c) Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.

(d) Support student success through flexible class scheduling, advising and mentoring components, and other wrap-
around services.

    (e) Provide seamless articulation with Florida's postsecondary institutions.

    (2) The report must, at a minimum, include the following:

        (a) Timelines for implementing a P-TECH program, or a similar program, as described in subsection (1), including courses of study which support program completion in 4 to 6 years and which meet regional workforce demand.

        (b) A funding model that provides the P-TECH program, or a similar program, at no cost to students. The funding model may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.

        (c) Partnerships with industries and businesses, which include private investment, work-based training, internships, and priority placement for job opportunities upon graduation.

        (d) Recommendations for modifications, if any, to the school and school district accountability requirements of s. 1008.34, Florida Statutes.

    (3) This section shall take effect upon this act becoming a law and shall expire on December 1, 2020.

Section 7. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

=*=*=*=*=*=*= T I T L E   A M E N D M E N T =*=*=*=*=*=*==
And the title is amended as follows:

Delete everything before the enacting clause and insert:
A bill to be entitled
An act relating to education; creating s. 446.541, F.S.; providing legislative intent; defining terms; providing that individuals enrolled in certain apprenticeship or preapprenticeship programs or work-based learning courses are deemed to be employees of the state for purposes of workers’ compensation; specifying responsibilities and payment for the costs of workers’ compensation benefits; requiring reporting within a specified timeframe on participants in work-based learning; amending s. 1008.44, F.S.; requiring the CAPE Industry Certification Funding List to incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE Scholars award; providing requirements for industry certifications associated with aviation-related and aerospace-related occupations; providing that such certifications are eligible for additional full-time equivalent membership; providing that the Commissioner of Education may limit CAPE industry certification and CAPE Digital Tool certificates to students in certain grades for a specified purpose; amending s. 1011.62, F.S.; revising the calculation of certain additional full-time equivalent membership relating to funding for the operation of schools; deleting a provision related to full-time equivalent membership calculation for elementary and middle students; providing for a calculation of full-time equivalent membership for aviation-related and
aerospace-related occupations; authorizing the use of a specified percentage of certain funds for CAPE program expenses; limiting the amount of funds that may be used for administrative costs; prohibiting the use of CAPE funding to supplant funds provided for basic operation of the CAPE program; providing an effective date for changes to the calculation; amending s. 1011.80, F.S.; revising performance funding for industry certifications for school district workforce education programs to provide for Federal Aviation Administration (FAA) industry certifications; amending s. 1011.81, F.S.; revising performance funding for industry certifications for Florida College System Institutions to provide for FAA industry certifications; requiring the Commissioner of Education to submit to certain entities by a specified date a report with recommendations relating to the implementation of the Pathways in Technology Early College High School program, or a similar program; providing requirements for such program and report; providing for expiration; providing an effective date.
By the Committee on Education; and Senator Hutson

A bill to be entitled
An act relating to education; creating s. 446.541, F.S.; providing legislative intent; defining terms; providing that individuals enrolled in certain preapprenticeship programs are deemed to be employees of the state for purposes of receiving certain medical care under workers’ compensation coverage; amending s. 446.011, F.S.; revising legislative intent related to apprenticeship training; amending s. 446.021, F.S.; defining and redefining terms; amending s. 446.032, F.S.; revising the general duties of the Department of Education with regard to registered apprenticeship and registered preapprenticeship programs; amending s. 446.041, F.S.; requiring the department to review and evaluate uniform minimum standards for registered apprenticeship and registered preapprenticeship programs; amending s. 446.045, F.S.; conforming provisions to changes made by the act; revising the membership of the State Apprenticeship Advisory Council; revising meeting requirements; amending s. 446.051, F.S.; providing that registered apprenticeship or registered preapprenticeship program sponsors are responsible for the selection and training of certain personnel, as approved by the department; encouraging district school boards and Florida College System institution and state university boards of trustees to cooperate in providing certain equipment, supplies, and instructor salaries; amending s. 446.052, F.S.; encouraging certain boards of trustees to cooperate in developing and establishing registered apprenticeship and preapprenticeship programs that include career instruction; encouraging such boards and boards of trustees to cooperate with certain degree programs and certificate programs to ensure that certain individuals may be eligible to receive certain college credit; amending s. 446.071, F.S.; providing that certain organizations may be apprenticeship sponsors if they meet certain uniform minimum standards; updating terminology; removing the definition of the term "need"; amending s. 446.081, F.S.; revising the applicability of a certain limitation; repealing s. 446.091, F.S., relating to the adaptation and applicability of certain provisions to on-the-job training programs; amending s. 446.092, F.S.; revising criteria for apprenticeship occupations; amending s. 1003.4156, F.S.; providing that students are encouraged to complete one course in career and educational planning for promotion to high school from middle school; authorizing the Florida Virtual School to offer such courses; amending s. 1003.4282, F.S.; authorizing school districts and regional consortia to work with national providers to submit to the department for approval recommended career-themed courses that satisfy high school credit requirements; amending s. 1007.23, F.S.; requiring a statewide articulation agreement contain three mathematics pathways; requiring the Articulation Coordinating
Committee to convene a representative workgroup composed of academic affairs administrators and faculty from state universities and Florida College System institutions; requiring the workgroup to report its recommendations to the committee, the Board of Governors, and the State Board of Education by a certain date; requiring the Articulation Coordinating Committee to approve the mathematics pathways by a specified date; amending s. 1007.2616, F.S.; requiring public schools to include computational thinking and foundational computer science skills in instruction and students; deleting obsolete language; authorizing school districts to apply to the department for funding for specified purposes; requiring the department to award funding to school districts or consortia using specified criteria; amending s. 1008.44, F.S.; requiring CAPE Industry Certification Funding List to incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE Scholars award; providing requirements for industry certifications associated with aviation-related and aerospace-related occupations; providing that such certifications are eligible for additional full-time equivalent membership; providing that the Commissioner of Education may limit CAPE industry certification and CAPE Digital Tool certificates to students in certain grades for a specified purpose; amending s. 1011.62, F.S.; revising the calculation of certain additional full-time equivalent membership relating to funding for the operation of schools; deleting a provision related to full-time equivalent membership calculation for elementary and middle students; providing for a calculation of full-time equivalent membership for aviation-related and aerospace-related occupations; authorizing the use of a specified percentage of certain funds for CAPE program expenses; limiting the amount of funds that may be used for administrative costs; prohibiting the use of CAPE funding to supplant funds provided for basic operation of the CAPE program; amending s. 1011.80, F.S.; revising performance funding for industry certifications for school district workforce education programs to provide for Federal Aviation Administration (FAA) industry certifications; amending s. 1011.802, F.S.; conforming provisions to changes made by the act; specifying the maximum amount of funds that may be used by the department to administer the Florida Pathways to Career Opportunities Grant Program; amending s. 1011.81, F.S.; revising performance funding for industry certifications for Florida College System Institutions to provide for FAA industry certifications; reenacting s. 1009.25, F.S., relating to fee exemptions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Section 446.541, Florida Statutes, is created to read:

446.541 Work-based learning.—

(1) It is the intent of the Legislature that, to the extent possible, school districts place students in paid work experiences for purposes of educational training and work-based learning.

(2) For purposes of this section, the term "work-based learning" is synonymous with the term "on-the-job training" and means interactions with industry or community professionals in off-campus workplaces which foster in-depth, firsthand engagement with the tasks required in a given career field and which are aligned to curriculum and instruction.

(3)(a) Individuals 18 years of age or younger who are enrolled in a Florida-registered preapprenticeship program that requires work-based learning or a registered apprenticeship program administered under ss. 446.011-446.092 and who are injured as a result of participation in the program are deemed to be employees of the state for purposes of workers’ compensation coverage only for medically necessary care rendered as a direct result of that injury.

(b) Any students in grades 6 through 12 who are enrolled in a course identified in the Course Code Directory which incorporates a work-based learning component or an activity that is unpaid and who are injured due to participation in such component or activity are deemed to be employees of the state for purposes of workers’ compensation coverage only for medically necessary care needed as a direct result of that injury.

Section 2. Section 446.011, Florida Statutes, is amended to read:

446.011 Legislative intent regarding apprenticeship training.—

(1) It is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their abilities. It is the intent of this act to promote the mode of training known as apprenticeship in occupations throughout industry in this the state that require physical manipulative skills. The Legislature further intends to broaden job training opportunities by increasing and providing for increased coordination between secondary and postsecondary educational institutions and business and industry participating in registered apprenticeship programs so that public school academic programs, career programs, and registered apprenticeship programs, the residents of this state will benefit from an additional on-ramp to a postsecondary credential or degree when on-the-job training is combined with related technical and theoretical instruction provided by a school district, a Florida College System institution, or a state university. Therefore, this act encourages apprenticeship programs that lead to college credit or a college degree. Moreover, the valuable training opportunities developed when on-the-job training is combined with academic-related classroom experiences this act is intended to develop the apparent potentials in apprenticeship training by assisting in the establishment of preapprenticeship programs in the public school system and elsewhere and by expanding presently registered...
programs as well as promoting new registered programs in jobs
that lend themselves to apprenticeship training.

(2) It is the intent of the Legislature that the Department
of Education have responsibility for the development of the
registered apprenticeship and registered preapprenticeship
uniform minimum standards for the apprenticeable occupations
and that the department have responsibility for assisting
time as support and development to eligible program sponsors pursuant to s. 446.071 district school
boards and Florida College System institution boards of trustees
in developing preapprenticeship programs.

(3) It is the further intent of ss. 446.011-446.092 that
the department ensure quality training through the adoption and
enforcement of uniform minimum standards and that the department
promote, register, monitor, and service apprenticeship and
preapprenticeship training programs and ensure that the programs
adhere to the standards.

(4) It is the intent of the Legislature that this act not
require the use of apprentices on construction projects financed
by the state or any county, municipality, town or township,
public authority, special district, municipal service taxing
unit, or other agency of state or local government.

Notwithstanding this intent, whenever any government or agency
of government employs, of its own choice, apprentices or employs
contractors who employ apprentices, the behavior of the
government and the contractors employed by the government shall
be governed by the provisions of this act.

Section 3. Section 446.021, Florida Statutes, is amended to
read:

(Substantial rewording of section. See (Substantial rewording of section. See
(7) “Preapprentice” means a person at least 16 years of age who enters into a preapprenticeship agreement with a preapprenticeship program sponsor approved by the department and who is engaged in learning an apprenticeable occupation in any course of instruction in the public school system or elsewhere.

(8) “Preapprenticeship program” means a program sponsored by an apprenticeship program in the same occupation which is registered with the department on the basis of submission to the department of a plan that contains the terms and conditions of instruction in the public school system or elsewhere and is designed to prepare a registered preapprentice to become an apprentice in an apprenticeship program.

(9) “Related technical instruction” means an organized and systematic form of instruction designed to provide an apprentice or preapprentice with knowledge of the theoretical subjects related to a specific trade or occupation.

(10) “Uniform minimum standards” means the minimum requirements established for each occupation under which an apprenticeship or a preapprenticeship program is administered. The term includes standards of admission, training goals, training objectives, curriculum outlines, objective standards to measure successful completion of the apprenticeship or preapprenticeship program, and the percentage of credit which may be given to apprentices or preapprentices. Minimum requirements must be uniform across all occupations.
Section 5. Section 446.041, Florida Statutes, is amended to read:

446.041 Apprenticeship program, duties of the department.—

The department shall:

1. Develop and promote the uniform minimum standards established by the department for registered apprenticeship and registered preapprenticeship programs.

2. Administer ss. 446.011–446.092.

3. Provide assistance to district school boards, Florida College System institution boards of trustees, eligible programs, and local workforce development boards in notifying students, parents, and members of the community of the availability of apprenticeship and preapprenticeship opportunities, including data provided in the economic security report pursuant to s. 445.07.

4. Establish procedures to be used by the State Apprenticeship Advisory Council.

5. Review and evaluate the uniform minimum standards established by the department for registered apprenticeship and registered preapprenticeship programs.

6. Register, in accordance with this chapter, any apprenticeship or preapprenticeship program that, regardless of affiliation, which meets the uniform minimum standards established by the department.

7. Investigate complaints concerning the failure of any registered program to meet the uniform minimum standards established by the department.

8. Cancel the registration of any program that fails to comply with the uniform minimum standards and policies of the department or that unreasonably fails or refuses to cooperate with the department in monitoring and enforcing compliance with the uniform minimum standards.

9. Encourage preapprenticeship or apprenticeship programs to grant consideration and credit to individuals completing registered preapprenticeship programs.

10. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

11. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

12. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

13. Establish procedures to be used by the State Apprenticeship Advisory Council.

14. Provide assistance to district school boards, Florida College System institution boards of trustees, eligible programs, and local workforce development boards in notifying students, parents, and members of the community of the availability of apprenticeship and preapprenticeship opportunities, including data provided in the economic security report pursuant to s. 445.07.

15. Develop and promote the uniform minimum standards established by the department for registered apprenticeship and registered preapprenticeship programs.

16. Register, in accordance with this chapter, any apprenticeship or preapprenticeship program that, regardless of affiliation, which meets the uniform minimum standards established by the department.

17. Investigate complaints concerning the failure of any registered program to meet the uniform minimum standards established by the department.

18. Cancel the registration of any program that fails to comply with the uniform minimum standards and policies of the department or that unreasonably fails or refuses to cooperate with the department in monitoring and enforcing compliance with the uniform minimum standards.

19. Encourage potential sponsors to develop and encourage apprenticeship or preapprenticeship programs.

20. Lead and coordinate outreach efforts to educate veterans about apprenticeship programs and career opportunities.

21. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

22. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

23. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

24. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

25. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

26. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

27. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

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29. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

30. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

31. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

32. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

33. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

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35. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

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50. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

51. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

52. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

53. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

54. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

55. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

56. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

57. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

58. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered apprenticeship programs.

59. Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.
(b) The Commissioner of Education or the commissioner's designee shall serve ex officio as chair of the State Apprenticeship Advisory Council, but may not vote. A representative of the state director of the Office of Apprenticeship of the United States Department of Labor shall serve ex officio as a nonvoting member of the council. The Governor shall appoint to the council four members representing employee organizations and four members representing employer organizations. Each of these eight members shall represent industries that have registered apprenticeship programs. The Governor shall also appoint two public members who are knowledgeable about registered apprenticeship and apprenticeable occupations and who are independent of any joint or nonjoint organization. Members shall be appointed for 4-year staggered terms. A vacancy shall be filled for the remainder of the unexpired term.

(c) The council shall meet at the call of the chair or the chair's designee, or at the request of a majority of its voting membership, but at least twice a year. A majority of the voting members constitutes a quorum, and the affirmative vote of a majority of a quorum is necessary to take action.

(d) The Governor may remove any member for cause.

(e) The council shall maintain minutes of each meeting. The department shall keep on file the minutes of each meeting and shall make the minutes available to any interested person.

(f) Members of the council shall serve without compensation and are not entitled to receive reimbursement for per diem and travel expenses under s. 112.061. Meetings may be held via teleconference or other electronic means.
Section 7. Section 446.051, Florida Statutes, is amended to read:

446.051 Related instruction for apprentices.—

(1) The administration and supervision of related and supplemental instruction for apprentices, the coordination of such instruction with job experiences, and the selection and training of teachers, instructors, and coordinators for such instruction, all as approved by the department, are registered program sponsor, shall be the responsibility of the registered apprenticeship or registered preapprenticeship program sponsor appropriate career education institution.

(2) District school boards and Florida College System institution and state university boards of trustees are the appropriate career education institution shall be encouraged to cooperate with and assist in providing to any registered program sponsor facilities, equipment and supplies, and instructors’ salaries for the performance of related and supplemental instruction associated with the registered apprenticeship or preapprenticeship registered program.

Section 8. Section 446.052, Florida Statutes, is amended to read:

446.052 Preapprenticeship program.—

(1) There is created and established a preapprenticeship education program, as defined in s. 446.021.

(2) The department, under regulations established by the State Board of Education, may administer the provisions of ss. 446.011-446.092 which relate to preapprenticeship programs in cooperation with district school boards and Florida College System institution boards of trustees. District school boards, Florida College System institution and State University System boards of trustees, and registered apprenticeship program sponsors are encouraged to cooperate in developing and establishing preapprenticeship programs that include career instruction and general education courses required to obtain a high school diploma.

(3) The department, the district school boards, and the Florida College System and State University System institution boards of trustees shall work together with existing registered apprenticeship programs in order that individuals completing the preapprenticeship programs may be able to receive credit toward completing an a registered apprenticeship program. In addition, such boards and boards of trustees are encouraged to cooperate with established associate of science or associate of applied science degree programs and career certificate programs to ensure that individuals completing a registered apprenticeship program may be able to receive college credit toward a technical degree education program.

(4) If qualified, veterans who have received discharges other than dishonorable discharges shall, if qualified, receive the same priorities given to registered preapprentices.

Section 9. Section 446.071, Florida Statutes, is amended to read:

446.071 Apprenticeship sponsors.—

(1) One or more local apprenticeship sponsors must be approved in any apprenticeable occupation trade or multiple apprenticeable occupations group of trades by the department, upon a determination of need, if the apprenticeship sponsor meets all of the uniform minimum standards established by the
The term “need” refers to the need of state residents for apprenticeship training. In the absence of proof to the contrary, it shall be presumed that there is need for apprenticeship and preapprenticeship training in each county in this state.

(2) An apprenticeship sponsor may be a committee, a group of employers, an employer, an association, an educational institution, a local workforce board, a community or faith-based organization, or any entity preapproved by the department as being in accordance with this chapter combination thereof.

(3) The department may grant a variance from the uniform minimum standards upon a showing of good cause for the variance by program sponsors in nonconstruction trades. The purpose of this subsection is to recognize the unique and varying training requirements in nontraditional apprenticeable occupations and to authorize the department to adapt the standards to the needs of the programs.

Section 10. Section 446.081, Florida Statutes, is amended to read:

446.081 Limitation.—
(1) Nothing in ss. 446.011-446.092 or in any apprentice agreement approved under those sections invalidates any apprenticeable occupation.
(2) Any special provision for veterans, minority persons, or women in the standards, qualifications, or operation of the program that is not otherwise prohibited by law, executive order, or authorized regulation.

(2) A person may not institute any action for the enforcement of any apprentice agreement, or for damages for the breach of any apprentice agreement, made under ss. 446.011-446.092, unless he or she has first exhausted all administrative remedies provided by this section.

(3) Any person aggrieved by any determination or act of the department has the right to an administrative hearing.
(4) Nothing in ss. 446.011-446.092 or in any rules adopted or contained in any approved apprentice agreement under such sections invalidates any special provision for veterans, minority persons, or women in the standards, qualifications, or operation of the apprenticeship program which is not otherwise prohibited by any applicable general law, executive order, rule, or regulation.

Section 11. Section 446.091, Florida Statutes, is repealed.

Section 12. Section 446.092, Florida Statutes, is amended to read:

446.092 Criteria for apprenticeship occupations.—At a minimum, an apprenticeable occupation must possess all of the following characteristics:
(1) It is customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training.
(2) It is clearly identified and commonly recognized throughout an industry.
(3) It involves manual, mechanical, or technical skills and knowledge which, in accordance with the industry standards for
the occupation, requires would require a minimum of 2,000 hours
of on-the-job training, which hours are excluded from the time
spent at related technical or supplementary related instruction.
(4) It requires related technical instruction to supplement
on-the-job training. Such instruction may be given in a
classroom, through occupational or industrial courses or
correspondence courses of equivalent value, through electronic
media, or through other forms of self-study approved by the
department.

Section 13. Paragraph (e) of subsection (1) of section
1003.4156, Florida Statutes, is redesignated as subsection (2)
and amended, present subsection (2) of that section is
redesignated as subsection (4), and a new subsection (3) is
added to that section, to read:

1003.4156 General requirements for middle grades
promotion.—
(1) In order for a student to be promoted to high school
from a school that includes middle grades 6, 7, and 8, the
student must successfully complete the following courses:
(2) Students are encouraged to complete one course in
career and education planning which may be offered to be
completed in grades 6, 7, or 8, and which may be taught by any
member of the instructional staff. The course should be
Internet-based, customizable to each student, and include
research-based assessments to assist students in determining
educational and career options and goals. In addition, the
course should result in a completed personalized academic
and career plan for the student that may be revised as the
student progresses through middle school and high school; must
emphasize the importance of entrepreneurship and employability
skills; and must include information from the Department of
Economic Opportunity’s economic security report under s. 445.07.
The required personalized academic and career plan should must
inform students of high school graduation requirements,
including a detailed explanation of the requirements for earning
a high school diploma designation under s. 1003.4285; the
requirements for each scholarship in the Florida Bright Futures
Scholarship Program; state university and Florida College System
institute admission requirements; available opportunities to
earn college credit in high school, including Advanced Placement
courses; the International Baccalaureate Program; the Advanced
International Certificate of Education Program; dual enrollment,
including career dual enrollment; and career education courses,
including career-themed courses, preapprenticeship and
apprenticeship programs, and course sequences that lead to
industry certification pursuant to s. 1003.492 or s. 1008.44.
The course may be implemented as a stand-alone course or
integrated into another course or courses.
(3) The Florida Virtual School may offer a course that
conforms to the guidelines established in subsection (2).
(4) The State Board of Education shall adopt rules
pursuant to ss. 120.536(1) and 120.54 to implement this section
and may enforce this section pursuant to s. 1008.32.

Section 14. Paragraph (d) is added to subsection (8) of
section 1003.4282, Florida Statutes, to read:

1003.4282 Requirements for a standard high school diploma.—
(8) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
CREDIT REQUIREMENTS.—
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Section 15. Present subsections (3) through (8) of section 1007.23, Florida Statutes, are redesignated as subsections (4) through (9), respectively, and a new subsection (3) is added to that section, to read:

(3) To facilitate seamless transfer, reduce excess credit hours, and ensure that students are taking the relevant courses needed for their future careers, the articulation agreement must specify three mathematics pathways, which are aligned to programs, meta-majors, and careers, on which degree seeking students must be placed.

Section 16. By September 31, 2020, the Articulation Coordinating Committee shall convene a representative workgroup composed of academic affairs administrators and faculty from state universities and Florida College System institutions to identify the three pathways. The workgroup shall report its recommendations to the Articulation Coordinating Committee, the Board of Governors, and the State Board of Education by March 31, 2021. The Articulation Coordinating Committee shall approve the mathematics pathways by May 31, 2021.

Section 17. Subsections (2) and (4) of section 1007.2616, Florida Statutes, is amended to read:

1007.2616 Computer science and technology instruction.—

(2)(a) Public schools shall provide students in grades K-12 opportunities for learning computer science, including, but not limited to, computer coding and computer programming. Such opportunities must include computational thinking and foundational computer science skills coding instruction in elementary school and middle school and instruction to develop students’ computer usage and digital literacy skills in middle school, and must include courses in computer science in middle school and high school, including earning-related industry certifications. Such courses must be integrated into each school district’s middle and high schools, including combination schools in which any of grades 6 through 12 are taught.

(b) Computer science courses must be identified in the Course Code Directory and published on the Department of Education’s website no later than July 1, 2020. Additional computer science courses may be subsequently identified and posted on the department’s website.

(4)(a) Subject to legislative appropriation, a school district or a consortium of school districts may apply to the department for the purchase of technology, including hardware and software, directly related to computer science instruction. Such funding shall only be used...
to provide training for classroom teachers, or to pay fees for examinations that lead to a credential, or to provide professional development, pursuant to this paragraph.

(b) The department shall award funding to school districts or consortia using criteria developed by the department. Once the department has identified courses in the Course Code Directory pursuant to paragraph (2)(b), the department shall establish a deadline for submitting applications. The department shall award funding to school districts in a manner that allows for an equitable distribution of funding statewide based on student population.

Section 18. Paragraph (a) of subsection (1) and paragraph (b) of subsection (4) of section 1008.44, Florida Statutes, are amended, and paragraph (f) is added to subsection (1), to read:

1008.44 CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List.—

(1) Pursuant to ss. 1003.4203 and 1003.492, the Department of Education shall, at least annually, identify, under rules adopted by the State Board of Education, and the Commissioner of Education may at any time recommend adding the following certificates, certifications, and courses:

(a) CAPE industry certifications identified on the CAPE Industry Certification Funding List that must be applied in the distribution of funding to school districts pursuant to s. 1011.62(1)(o). The CAPE Industry Certification Funding List shall incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE Scholars award. In addition, by August 1 of each year, the not-for-profit corporation established pursuant to s. 694-02643-20

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OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(o) Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.

(1) A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. For a CAPE industry certification that has a statewide articulation agreement of 4 to 14 college credits, a value of 0.2 full-time equivalent membership shall be calculated. For a CAPE industry certification that has a statewide articulation agreement of 1 to 3 college credits and is deemed by the department to be of sufficient rigor and to be linked to a high-skill occupation, a value of 0.2 full-time equivalent membership shall be calculated. For all other CAPE industry certifications with a statewide articulation agreement of 1 to 3 college credits, a value of 0.1 full-time equivalent membership shall be calculated. For a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall designate a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the
bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

e. In addition to the full-time equivalent student membership calculated under paragraphs (a)-(d), a supplemental value of 0.2 full-time equivalent student membership shall be calculated for industry certifications identified on the CAPE Industry Certification Funding List as leading to employment in aviation-related or aerospace-related occupations and meeting specified criteria prescribed by the department.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds.

The remaining 20 percent may be used for other CAPE program expenses, such as administrative costs, which may not exceed 5 percent of the funds provided, and new industry certification programs. All such funds must be used for CAPE programs. CAPE funding this allocation may not be used to supplant funds provided for basic operation of the program, such as teacher salaries and other costs that are funded with non-CAPE funds for other courses.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1:

a. A bonus of $25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus of $50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2.

c. A bonus of $75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of $100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.4.
Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses awarded to teachers pursuant to this paragraph must be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to receive. A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph.

Section 20. Paragraph (b) of subsection (7) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(7) Performance funding for industry certifications for school district workforce education programs is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:

1. Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are

2. The Chancellor of Career and Adult Education shall identify the industry certifications eligible for funding on the CAPE Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.

3. A. Except as provided in sub-subparagraph b., each school district shall be provided $1,000 for each industry certification earned by a workforce education student. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

b. For each professional-level, Federal Aviation Administration industry certification earned by a workforce education student, each school district shall be provided a total of $6,000. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

Section 21. Section 1011.802, Florida Statutes is amended to read:

1011.802 Florida Pathways to Career Opportunities Grant Program.—

(1) Subject to appropriations provided in the General Appropriations Act, the Florida Pathways to Career Opportunities Grant Program is created to provide grants to high schools, career centers, charter technical career centers, Florida College System institutions, and other entities authorized to sponsor an apprenticeship or registered apprenticeship or registered.
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exemption includes fees associated with enrollment in applied
academics for adult education instruction. The exemption remains
valid until the student reaches 28 years of age.
(e) A student enrolled in an employment and training
program under the welfare transition program. The local
workforce development board shall pay the state university,
Florida College System institution, or school district for costs
incurred for welfare transition program participants.
(f) A student who lacks a fixed, regular, and adequate
nighttime residence or whose primary nighttime residence is a
public or private shelter designed to provide temporary
residence, a public or private transitional living program, or a
public or private place not designed for, or ordinarily used as,
a regular sleeping accommodation for human beings. This includes
a student who would otherwise meet the requirements of this
paragraph, as determined by a college or university, but for his
or her residence in college or university dormitory housing.
(g) A student who is a proprietor, owner, or worker of a
company whose business has been at least 50 percent negatively
financially impacted by the buyout of property around Lake
Apopka by the State of Florida. Such student may receive a fee
exemption only if the student has not received compensation
because of the buyout, the student is designated a Florida
resident for tuition purposes, pursuant to s. 1009.21, and the
student has applied for and been denied financial aid, pursuant
to s. 1009.40, which would have provided, at a minimum, payment
of all student fees. The student is responsible for providing
evidence to the postsecondary education institution verifying
that the conditions of this paragraph have been met, including
supporting documentation provided by the Department of Revenue.
The student must be currently enrolled in, or begin coursework
within, a program area by fall semester 2000. The exemption is
valid for a period of 4 years after the date that the
postsecondary education institution confirms that the conditions
of this paragraph have been met.
(h) Pursuant to s. 402.403, child protection and child
welfare personnel as defined in s. 402.402 who are enrolled in
an accredited bachelor’s degree or master’s degree in social
work program, provided that the student attains at least a grade
of “B” in all courses for which tuition and fees are exempted.
(2) Each Florida College System institution is authorized
to grant student fee exemptions from all fees adopted by the
State Board of Education and the Florida College System
institution board of trustees for up to 54 full-time equivalent
students or 1 percent of the institution’s total full-time
equivalent enrollment, whichever is greater, at each
institution.

Section 24. This act shall take effect July 1, 2020
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2/25/20

Bill Number (if applicable) 1568

Amendment Barcode (if applicable)

Topic ________________________________

Name Jared Ochs ________________________________

Job Title Director of Legislative Affairs ________________________________

Address 325 West Gaines Street

Street

Tallahassee FL 32399

City State Zip ________________________________

Phone ________________________________

Email Jared.Ochs@fldoe.org

Speaking: □ For □ Against □ Information

Waive Speaking: ✓ In Support □ Against

(The Chair will read this information into the record.)

Representing Florida Department of Education ________________________________

Appearing at request of Chair: □ Yes ✓ No 

Lobbyist registered with Legislature: ✓ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2-25-20

Bill Number (if applicable): 1569

Amendment Barcode (if applicable): 

Topic: Apprenticeships

Name: Marti Coley

Job Title: Lobbyist, PinPoint Results

Address: 150 S. Monroe Suite 303

Tallahassee, FL 32301

City: Tallahassee

State: FL

Zip: 32301

Phone: 950-209-0069

Email: marti@pinpointresults.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against

(The Chair will read this information into the record.)

Representing: Florida Workforce Development Assoc.

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 2/25/2020

Topic: Appropriations Subcommittee on Education

Name: Marcia Beasley

Job Title: Retired

Address: 2001 Dawn Vista Dr
          Riverview, FL 33578

Phone: 813-431-9717

Email: mbeasley54@bellsouth.net

Speaking: [ ] For [X] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing:

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2/25/2020

Bill Number (if applicable) SB 1578

Amendment Barcode (if applicable)

Topic Education

Name Charlie S Fox

Job Title Teacher

Address 6627 Kestrel Cir

Ft Myers FL 33906

Zip

Phone 239-940-5095

Email charlesfox@col.com

Speaking: ☐ For ☐ Against ☐ Information Waive Speaking: ☐ In Support ☑ Against (The Chair will read this information into the record.)

Representing Lee County Teachers Association

Appearing at request of Chair: ☐ Yes ☐ No Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting. S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date 2/25/20

Topic Education

Name Nancy Stewart

Job Title

Address 1460 Village Square Blvd Ste 3-156
Tallahassee FL 32312

Phone 850-385-7805
Email nancystewartco@nancyblackstewart.com

Speaking: ☑️ For ☐ Against ☐ Information
Waive Speaking: ☑️ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Manufacturers Association of Florida

 Appearing at request of Chair: ☑️ Yes ☐ No
Lobbyist registered with Legislature: ☑️ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
I. Summary:

PCS/SB 1644 revises the circumstances and procedures required for restraining students with a disability in public schools and prohibits the use of seclusion. The bill also provides enhanced mechanisms for monitoring specified classrooms. Specifically, the bill requires:

- School districts to:
  - Adopt positive behavior interventions and supports for students with a disability and identify all school personnel authorized to use the interventions and supports.
  - Provide training to all school personnel authorized to use positive behavior interventions and supports.
  - Publish the procedures for training in positive behavior interventions and supports in the district’s special policies and procedures manual.
- The development of a crisis intervention plan for a student who has been restrained twice during a semester.
- Schools within the Broward and Volusia school districts, as part of the Video Cameras in Public School Classrooms Pilot Program, to install a video camera, upon the request of a parent, in self-contained classrooms where students with a disability are enrolled and specifies the circumstances under which the video recording may be viewed.
- The Department of Education (DOE) to collect information relating to the installation and maintenance of video cameras in self-contained classrooms as part of the pilot program.
- Data maintained by the DOE on the use of restraint to be updated monthly and made available to the public through the DOE’s website by October 1, 2020.
• The Commissioner of Education to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or inservice training requirements for instructional personnel.

The bill does not require a state appropriation. However, school districts may incur costs to provide training in the use of restraint or positive behavior interventions. The Broward and Volusia County school districts may incur costs related to the installation and maintenance of video surveillance equipment. See Section V.

The bill takes effect July 1, 2020.

II. Present Situation:

The Individuals with Disabilities Education Act (IDEA) was enacted to ensure that all children with a disability have available to them a free appropriate public education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living; and ensuring that the rights of children with disabilities and parents of such children are protected. Accordingly, Florida law specifies conditions regarding the use of restraint and seclusion on students with a disability.

The Use of Restraint and Seclusion

The Florida Department of Education (DOE) requires that all documenting, reporting, and monitoring requirements related to the use of restraint in schools are based on the definitions issued by the Office for Civil Rights (OCR) within the United States Department of Education.

Restraint

According to the DOE:

• Physical restraint immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely.
• Mechanical restraint is the use of any device or equipment to restrict a student’s freedom of movement. The term does not include devices implemented by trained school personnel or devices used by a student that have been prescribed by an appropriate medical or related service professional and are used for specific and approved purposes for which such devices were designed.

School personnel are prohibited from using a mechanical restraint or a physical or manual restraint that restricts a student’s breathing.

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2 Section 1003.573, F.S.
4 Id.
5 Section 1003.573(4), F.S.
**Seclusion**

The OCR defines seclusion as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.\(^6\) Seclusion does not include a time out, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.\(^7\) School personnel may not close, lock, or physically block a student in a room that is unlit and does not meet the rules of the State Fire Marshall for seclusion time-out rooms.\(^8\)

**School District Responsibilities**

Each school district must develop policies and procedures regarding the use of restraint and seclusion of students with a disability. School district policies and procedures must address:\(^9\)

- Incident-reporting procedures.
- Data collection and monitoring, including when, where, and why students are restrained or secluded.
- Training programs relating to manual or physical restraint and seclusion.
- The district’s plan for reducing the use of restraint and seclusion, particularly in settings in which it occurs frequently or with students who are restrained repeatedly,\(^10\) and for reducing the use of prone restraint and mechanical restraint.

**Confidentiality of Student Records**

With limited exceptions, school districts may not disclose personally identifiable information contained within student records to a third party without parental consent.\(^11\) School districts may disclose personally identifiable information from an education record regarding threats of violence and other issues regarding a student’s well-being without parental consent in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.\(^12\)

School districts may also share student information with juvenile justice and criminal justice agencies if the disclosure concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released.\(^13\)

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\(^{7}\) Id.

\(^{8}\) Section 1003.573(5); Rule 69A-58.0084, F.A.C.

\(^{9}\) Section 1003.573(3)(a), F.S.

\(^{10}\) The recurrent use of seclusion or restraint for an individual student indicates the need for a functional behavioral assessment (FBA) and should trigger a review and possible revision of that student’s IEP and Behavioral Intervention Plan (BIP). For example, students with limited communication skills may exhibit aggressive behaviors in an effort to communicate. The FBA should be used to identify such situations and a BIP should be developed to address the need(s) through appropriate instructional techniques. Florida Department of Education, Bureau of Exceptional Education and Student Services, *Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities*, Technical Assistance Paper FY 2011-165 (Oct. 14, 2011), available at [https://info.fldoe.org/docushare/dsweb/Get/Document-6212/dps-2011-165.pdf](https://info.fldoe.org/docushare/dsweb/Get/Document-6212/dps-2011-165.pdf), at 15.

\(^{11}\) Section 1002.22, F.S.; 20 U.S.C. s. 1232(g).

\(^{12}\) 34 C.F.R. s. 99.36.

\(^{13}\) 34 C.F.R. s. 99.38.
justice system seeks the disclosure of information on a student in order to identify and intervene with a juvenile at risk of delinquency, rather than to obtain information solely related to supervision of an adjudicated delinquent, the juvenile could be classified as a preadjudicated delinquent, and the records may be shared.\textsuperscript{14}

**School Responsibilities**

Florida law requires a school to prepare an incident report within 24 hours after a student is released from restraint or seclusion. The incident report must contain: \textsuperscript{15}
- The name, age, grade, ethnicity, and disability of the student restrained or secluded.
- The date and time of the event and the duration of the restraint or seclusion.
- A description of the type of restraint.
- A description of the incident.

Before the end of the school day, a school must provide written notification to the parent or guardian of a student each time restraint or seclusion is used on the student. Reasonable efforts must also be taken to notify the parent or guardian by telephone or e-mail, or both, and these efforts must be documented. The school must obtain and keep in its records the parent’s or guardian’s signed acknowledgement that he or she was notified of his or her child’s restraint or seclusion.\textsuperscript{16} A school must also provide the parent or guardian with the completed incident report in writing by mail within three school days after a student was manually or physically restrained or secluded.\textsuperscript{17}

Monitoring of the use of restraint and seclusion on students is required at the classroom, building, district, and state levels. The incident report and the notification to the parent or guardian must be provided to the school principal, the school district director of Exceptional Student Education, and the bureau chief of the Bureau of Exceptional Education and Student Services within the DOE electronically each month that school is in session. \textsuperscript{18}

Since the 2010-2011 school year, there have been 80,669 incidents of restraint and 20,932 incidents of seclusion reported. In the 2018-2019 school year, school districts reported 8,650 incidents of restraint and 744 incidents of seclusion.\textsuperscript{19}

**Florida Department of Education Responsibilities**

The DOE is required to maintain aggregate data of incidents of manual or physical restraint and seclusion by county, school, student exceptionality, and other variables, including the type and method of restraint or seclusion used. This information must be updated monthly. The DOE is

\textsuperscript{15} Section 1003.573(1), F.S. If the student’s release occurs on a day before the school closes for the weekend, a holiday or another reason, the incident report must be completed by the end of the school day on the day the school reopens. *Id.*
\textsuperscript{16} *Id.*
\textsuperscript{17} Section 1003.573(1)(d), F.S.
\textsuperscript{18} Section 1003.573(2)(a)-(b), F.S.
\textsuperscript{19} Florida Department of Education, *Senate Bill 1644 Analysis* (2020), at 5
also required to establish standards for documenting, reporting, and monitoring the use of manual or physical restraint or mechanical restraint, and occurrences of seclusion.  

**Commissioner of Education Responsibilities**

The Commissioner of Education is required to develop recommendations to incorporate instruction regarding autism spectrum disorder, Down syndrome, and other developmental disabilities into continuing education or in-service training requirements for personnel. These recommendations must address:

- Early identification and intervention methods.
- Curriculum planning and curricular and instructional modifications, adaptations, and specialized strategies and techniques.
- The use of available state and local resources.
- The use of positive behavioral supports to deescalate problem behaviors.
- Appropriate use of manual physical restraint and seclusion techniques.

**III. Effect of Proposed Changes:**

The bill revises the circumstances and procedures required for restraining students with a disability in public schools and prohibits the use of seclusion. The bill also provides enhanced mechanisms for monitoring specified classrooms. Specifically, the bill requires:

- School districts to:
  - Adopt positive behavior interventions and supports for students with a disability and identify all school personnel authorized to use the interventions and supports.
  - Provide training to all school personnel authorized to use positive behavior interventions and supports.
  - Publish the procedures for training in positive behavior interventions and supports in the district’s special policies and procedures manual.

- The development of a crisis intervention plan for a student who has been restrained twice during a semester.

- Schools within the Broward and Volusia school districts, as part of the Video Cameras in Public School Classrooms Pilot Program, to install a video camera, upon the request of a parent, in self-contained classrooms where students with a disability are enrolled and specifies the circumstances under which the video recording may be viewed.

- The Department of Education (DOE) to collect information relating to the installation and maintenance of video cameras in self-contained classrooms as part of the pilot program.

- Data maintained by the DOE on the use of restraint to be updated monthly and made available to the public through the DOE’s website by October 1, 2020.

- The Commissioner of Education to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or inservice training requirements for instructional personnel.

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20 Section 1003.573(2)(c)-(d), F.S.
21 Section 1012.582(1), F.S.
The Use of Restraint and Seclusion

Restraint

The bill modifies s. 1003.573, F.S., to define terms related to restraint and ensure restraint is only used as a last resort to avoid imminent harm. Specifically, the bill defines:

- “Imminent risk of serious injury” means the threat posed by dangerous behavior that may cause serious physical harm to self or others.
- “Restraint” to mean the use of a mechanical or physical restraint.
- “Mechanical restraint” to mean the use of a device that restricts a student’s freedom of movement. The term does not include the use devices prescribed or recommended by physical or behavioral health professionals when used for indicated purposes.
- “Physical restraint” to mean the use of manual restraint techniques that involve significant physical force applied by a teacher or other staff member to restrict the movement of all or part of a student’s body but does not include briefly holding a student in order to calm or comfort the student or physically escorting a student to a safe location.
- “Positive behavior interventions and supports” means the use of behavioral interventions to prevent dangerous behaviors that may cause serious physical harm to the student or others.
- “Seclusion” means the involuntary confinement of a student in a room or area alone and preventing the student from leaving the room or area. The term does not include time-out used as a behavior management technique intended to calm a student.
- “Student”, as the term relates to the restraint of students with a disability, to mean a child with an individual education plan enrolled in grades kindergarten through 12. The term does not include students in prekindergarten, students who reside in residential care facilities, or students participating in a Department of Juvenile Justice education program.

The bill specifies that restraint may only be used to protect the safety of students, school personnel, or others, and only after all behavioral interventions to prevent the dangerous behavior posing a risk of serious physical harm to the student or others have been exhausted, and the threat of injury posed by the dangerous behavior remains. When restraining a student, a person may only apply the degree of force necessary to protect the student or others from imminent risk of serious injury. Restraint may not:

- Be used to induce compliance, for student discipline, or to correct student noncompliance.
- Involve the use of straightjackets, zip ties, handcuffs, or tie-downs to obstruct or restrict breathing or blood flow.

Seclusion

The bill prohibits the use of seclusion of students by school personnel. Seclusion is defined as the involuntary confinement of a student in a room or area alone. The term does not include time-out used as a behavior management technique to calm a student.

This prohibition may encourage school personnel to consider effective and appropriate intervention strategies to address student behavior in the school setting.

School District Responsibilities

The bill requires school districts to adopt positive behavior interventions and supports for students with a disability and identify all school personnel authorized to use the interventions and supports. District policies and procedures on positive behavior interventions and supports must be publicly posted at the beginning of each school year, and any revisions must be filed with the bureau chief of the Bureau of Exceptional Education and Student Services within the DOE within 90 days after the revision.

Existing requirements governing policies and procedures for the seclusion and restraint of students with a disability are updated to align with the new definitions relating to restraint and the prohibition of the use of seclusion. The bill authorizes school districts to include in their required plans for achieving goals to reduce the use of restraint an analysis of data to determine trends related to the use of restraint.

Training

The bill requires school districts to provide training to all school personnel authorized to use positive behavior interventions and supports and publish the procedures for the training in the district’s special policies and procedures manual. The bill adds the date an individual was last trained in the use of positive behavior interventions and supports to the required components of the incident report that is prepared within 24 hours after a student is released from restraint. Training must be provided annually and include:

- The use of positive behavior interventions and supports.
- Risk assessment procedures to identify when restraint may be used.
- Examples of when positive behavior interventions and support techniques have failed to reduce the imminent risk of serious injury.
- Examples of safe and appropriate restraint techniques and how to use these techniques with multiple staff members working as a team.
- Instruction in the district’s documentation and reporting requirements.
- Procedures to identify and deal with possible medical emergencies arising during the use of restraint.
- Cardiopulmonary resuscitation.

The establishment of school district training protocol on the use of positive behavior interventions and supports may provide school personnel with additional resources and knowledge related to the techniques to deescalate disruptive student behavior.

Crisis Intervention Plan

The bill requires a team comprised of school personnel, applicable physical and behavioral health professionals, and a student’s parent to develop a crisis intervention plan after the second time the student is restrained during a semester. A crisis intervention plan is an individualized action plan for school personnel to implement when a student exhibits dangerous behavior that may lead to imminent risk of serious injury. The bill adds the date the crisis intervention plan was last reviewed, and whether changes were recommended, to the required components to be included in an incident report prepared within 24 hours after a student is released from restraint. The crisis intervention plan must be provided to the student’s parent and include:
• Specific positive behavior interventions and supports to use in response to dangerous behaviors that create a threat of imminent risk of serious injury.
• Known physical and behavioral health concerns that will limit the use of restraint for the student.
• A timetable for the review and, if necessary, revision of the crisis intervention plan.

Video Cameras in Self-Contained Classrooms

Operation of Video Cameras

The bill creates s. 1003.574, F.S., which requires school districts participating in the three-year Video Cameras in Public School Classrooms Pilot Program (Broward and Volusia) to provide a video camera to any school with a self-contained classroom upon the written request of a parent of a student in the classroom. A self-contained classroom is a classroom at a public school in which a majority of the students in regular attendance are provided special education services and are assigned to one or more such classrooms for at least 50 percent of the instructional day. Before the video camera is placed in any classroom, schools must provide written notification of the placement of the video camera to the parents of each student assigned to the self-contained classroom, the school district, and each employee assigned to work with any of the students in the self-contained classroom. The video camera must be operational in each classroom in which the student is in attendance within 30 days after receipt of the parent’s written request. The bill does not apply to self-contained classrooms in which the only students receiving special education services are those who have been deemed gifted.

The video camera must be capable of recording, through both video and audio, all areas of the self-contained classroom and any room attached to that classroom but is not required to record when no students are present. Schools are prohibited from:
• Recording a restroom or any area where a student changes his or her clothes.
• Using videos for teacher evaluations or any purpose other than for ensuring the health, safety, and well-being of students receiving special education services in a self-contained classroom.
• Allowing regular or continuous monitoring of the video recording.

Any interruption in the operation of the video camera must be explained in writing to the school principal and the district school board. The explanation must include the duration of the interruption, and the district school board office is required to maintain the written explanation for at least one year.

If the parent withdraws the request or the student no longer attends the classroom, the school must notify the parents of the other students in the classroom at least five school days prior to ceasing operation of the video camera. The school must notify the parents that operation of the video camera will cease unless the continued use of the camera is requested by a parent. The school must also send the notification at least ten school days prior to the end of each school year.

Maintenance and Disclosure of Video Camera Recordings

The bill provides measures related to the maintenance and disclosure of recordings generated by video cameras in self-contained classrooms. The school principal is the custodian of video
cameras, video recordings, and access to video recordings and must protect the confidentiality of all student records contained in video camera recordings in accordance with Florida laws governing the disclosure of student records. When making video recordings available for viewing, the school principal must conceal the identity of any student who appears in a video camera recording but is not involved in the incident which formed the basis of the request for disclosure.

The school must make a recording available for viewing within seven days after receiving a request from:

- A school or school district employee who is involved in an alleged incident that is documented by the video recording as part of the investigative process.
- A parent of a student who is involved in an alleged incident that is documented by the video recording and has been reported to the school or school district.
- A school or school district employee as part of an investigation into an alleged incident that is documented by the video recording and has been reported to the school or school district.
- A law enforcement officer as part of an investigation into an alleged incident that is documented by the video recording and has been reported to the law enforcement agency.
- The Department of Children and Families (DCF) as part of a child abuse or neglect investigation.

An incident is defined as an event, circumstance, act, or omission that results in the abuse or neglect of a student by an employee of a public school, school district or another student. The person who requested to view the recording must view the recording within 30 days of receiving notice that his or her request for viewing has been granted and report any suspected child abuse to the DCF. The bill specifies that an incidental viewing by a school employee or contractor involved in the installation, operation, or maintenance of video equipment, or the retention of video recordings does not violate limitations on the disclosure of video recordings.

Schools must retain video footage for at least three months after the date the video was recorded or until the conclusion of any investigation or legal proceedings that result from the recording, including the exhaustion of all appeals.

**State Board of Education Appeals**

An individual may appeal to the State Board of Education (SBE) an action by a school or school district which the individual alleges violates requirements related to video cameras in self-contained classrooms, and the SBE must grant a hearing within 45 days of receiving the request for appeal. The bill specifies that statutory requirements related to video cameras in self-contained classrooms do not:

- Limit the access of the parent of a student, under the Family Educational Rights and Privacy Act (FERPA)\(^{23}\) or any other law, to a video recording regarding his or her student.
- Waive any immunity from liability of a school district or an employee of a school district.
- Create any liability for a cause of action against a school or school district or an employee of a school or school district carrying out the duties and responsibilities related to video cameras in self-contained classrooms.

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\(^{23}\) 20 U.S.C. s. 1232g.
The bill provides rulemaking authority to the SBE to implement requirements related to video cameras in classrooms.

**Florida Department of Education Responsibilities**

The bill requires the DOE to collect various information. As part of the pilot program, DOE is required to collect information related to the installation and maintenance of video cameras. The DOE is required to make available to the public through DOE’s website aggregate-level data on incidents of restraint by county, school, student exceptionality, and other variables by October 1, 2020.

The bill replaces the requirement for the DOE to establish standards for documenting, reporting, and monitoring the use of restraint with the requirement to establish standards for documenting, reporting, and monitoring the incident reports related to the use of restraint. This may assist school districts in documenting and reporting incidents related to the use of restraint.

**Commissioner of Education Responsibilities**

The bill requires the commissioner to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or inservice training requirements for instructional personnel. The bill also modifies the information required to be addressed in such recommendations by requiring the recommendations to address the use of positive behavior interventions and support, and effective classroom behavior management strategies.

Accordingly, the bill may help instructional personnel to be better informed and trained in strategies to teach students with emotional or behavioral disabilities.

**IV. Constitutional Issues:**

A. **Municipality/County Mandates Restrictions:**

   None.

B. **Public Records/Open Meetings Issues:**

   None.

C. **Trust Funds Restrictions:**

   None.

D. **State Tax or Fee Increases:**

   None.

E. **Other Constitutional Issues:**

   None.
V. Fiscal Impact Statement:

A. Tax/Fee Issues:
None.

B. Private Sector Impact:

The purchase and maintenance of video and audio recording devices will result in an increase in revenue for vendors of such devices.

C. Government Sector Impact:

School districts may incur costs to provide professional development in the use of restraint or positive behavior interventions. These costs are indeterminate.

In addition, the two school districts affected by the pilot program may incur costs associated with installing and maintaining video cameras and retaining recordings. The Department of Education estimates a cost of $4,703 to install video cameras in a classroom.24

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1003.573, 1003.574, and 1012.582 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

Recommended CS by Appropriation Subcommittee on Education on February 25, 2020:
The committee substitute makes the following changes to the bill:

24 Florida Department of Education, Senate Bill 1644 Analysis (2020), at 8
- Creates the Video Cameras in Public School Classrooms Pilot Program for a three year period beginning with the 2020-2021 school year.
- Specifies that only the Broward and Volusia County School Districts are required to participate in the pilot program.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Appropriations Subcommittee on Education (Book) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 295 - 301 and insert:

1003.574 Video cameras in public school classrooms; pilot program.—Beginning with the 2020-2021 school year, the Video Cameras in Public School Classrooms Pilot Program is created for a period of 3 school years.

(1) As used in this section, the term:

(a) “Incident” means an event, a circumstance, an act, or
an omission that results in the abuse or neglect of a student by:

1. An employee of a public school or school district; or
2. Another student.

(b) “School district” means the Broward County Public Schools and the Volusia County Schools.

(c) “Self-contained classroom” means a classroom at a

And the title is amended as follows:

Delete line 26
and insert:

F.S.; creating the Video Cameras in Public School Classrooms Pilot Program; defining terms; requiring a video camera to be
A bill to be entitled
An act relating to students with disabilities in public schools; amending s. 1003.573, F.S.; defining terms; requiring school districts to prohibit the use of seclusion on students with disabilities in public schools; providing requirements for the use of restraint; prohibiting specified restraint techniques; revising school district policies and procedures relating to restraint; requiring school districts to adopt positive behavior interventions and supports and certain policies and procedures; requiring each school district to publicly post specified policies and procedures; requiring school districts to provide training on certain interventions and supports and certain policies and procedures; requiring each school district to provide training on certain interventions and supports to specified personnel; providing requirements for such training; requiring each school district to publish training procedures in its special policies and procedures manual; requiring schools to develop a crisis intervention plan for certain students; providing requirements for such plans; revising the requirements for documenting, reporting, and monitoring the use of restraint; requiring the department to make certain information available to the public by a specified date; conforming provisions to changes made by the act; creating s. 1003.574, F.S.; defining terms; requiring a video camera to be placed in specified classrooms upon the request of a parent; requiring video cameras to be operational within a specified time period; providing requirements for the discontinuation of such video cameras; providing requirements for such video cameras; providing an exception; requiring a written explanation if the operation of such cameras is interrupted; requiring district school boards to maintain such explanation for a specified time; requiring schools to provide written notice to certain individuals of the placement of a video camera; providing requirements for retaining and deleting video recordings; providing prohibitions for the use of such video cameras and recordings; providing that school principals are the custodians of such video cameras and recordings; providing requirements for school principals and video recordings; providing requirements relating to student privacy; providing requirements for the viewing of such video recordings; providing for an appeal process for actions of a school or school district; providing that incidental viewings of video recordings by specified individuals are not a violation of certain provisions; providing construction; requiring the Department of Education to collect specified information; authorizing the State Board of Education to adopt rules; amending s. 1012.582, F.S.; requiring continuing education and inservice training for instructional personnel teaching students with emotional or behavioral disabilities; conforming provisions to changes made by the act; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1003.573, Florida Statutes, is amended to read:

1003.573 Seclusion and restraint are methods that school personnel may use to implement a crisis intervention plan for a student with disabilities in public schools. –

(1) DEFINITIONS.—As used in this section, the term:

(a) “Crisis intervention plan” means an individualized action plan for school personnel to implement when a student exhibits dangerous behavior that may lead to imminent risk of serious injury.

(b) “Imminent risk of serious injury” means the threat posed by dangerous behavior that may cause serious physical harm to self or others.

(c) “Restraint” means the use of a mechanical or physical restraint.

1. “Mechanical restraint” means the use of a device that restricts a student’s freedom of movement. The term does not include the use of devices prescribed or recommended by physical or behavioral health professionals when used for indicated purposes.

2. “Physical restraint” means the use of manual restraint techniques that involve significant physical force applied by a teacher or other staff member to restrict the movement of all or part of a student’s body. The term does not include briefly holding a student in order to calm or comfort the student or physically escorting a student to a safe location.

(d) “Positive behavior interventions and supports” means the use of behavioral interventions to prevent dangerous behaviors that may cause serious physical harm to the student or others.

(e) “Seclusion” means the involuntary confinement of a student in a room or area alone and preventing the student from leaving the room or area. The term does not include time-out used as a behavior management technique intended to calm a student.

(f) “Student” means a child with an individual education plan enrolled in grades kindergarten through 12 in a school, as defined in s. 1003.01(2), or the Florida School for the Deaf and Blind. The term does not include students in prekindergarten, students who reside in residential care facilities under s. 1003.58, or students participating in a Department of Juvenile Justice education program under s. 1003.53.

(2) SECLUSION.—Each school district shall prohibit school personnel from using seclusion.

(3) RESTRAINT.—

(a) Authorized school personnel may use restraint only when all positive behavior interventions and supports have been exhausted. Restraint may be used only when there is an imminent risk of serious injury and shall be discontinued as soon as the threat posed by the dangerous behavior has dissipated. Straightjackets, zip ties, handcuffs, or tie-downs may not be used to obstruct or restrict breathing or blood flow. Restraint techniques may not be used to inflict pain to induce compliance.

(b) Notwithstanding the authority provided in s. 1003.32, restraint shall be used only to protect the safety of students, school personnel, or others and may not be used for student discipline or to correct student noncompliance.
(c) The degree of force applied during physical restraint must be only that degree of force necessary to protect the student or others from imminent risk of serious injury.

(4) SCHOOL DISTRICT POLICIES AND PROCEDURES.—

(a) Each school district shall adopt positive behavior interventions and supports and identify all school personnel authorized to use the interventions and supports. Each school district shall develop policies and procedures that are consistent with this section and that govern the following:

1. Incident-reporting procedures.
2. Data collection and monitoring, including when, where, and why students are restrained and secluded, the frequency of occurrences of such restraint or seclusion, and the prone or mechanical restraint that is most used.
3. Monitoring and reporting of data collected.
4. Training programs and procedures relating to manual or physical restraint as described in subsection (3) and seclusion.
5. The district’s plan for selecting personnel to be trained pursuant to this subsection.
6. The district’s plan for reducing the use of restraint and seclusion, particularly in settings in which it occurs frequently or with students who are restrained repeatedly, and for reducing the use of prone restraint and mechanical restraint. The plan must include a goal for reducing the use of restraint and seclusion and must include activities, skills, and resources needed to achieve that goal. Activities may include, but are not limited to:
   a. Additional training in positive behavior interventions and supports. Behavioral support and crisis management.
   b. Parental involvement.
   c. Data review.
   d. Updates of students’ functional behavioral analysis and positive behavior intervention plans.
   e. Additional student evaluations.
   f. Debriefing with staff.
   g. Use of schoolwide positive behavior support.
   h. Changes to the school environment.
   i. Analysis of data to determine trends.
   j. Ongoing reduction of the use of restraint.
   k. Ongoing reduction of the use of restraint.

(b) Any revisions a school district makes to its policies and procedures pursuant to this section, which must be prepared as part of its special policies and procedures, must be filed with the bureau chief of the Bureau of Exceptional Education and Student Services within 90 days after the revision is later than January 31, 2012.

(c) At the beginning of each school year, each school district shall publicly post its policies and procedures on positive behavior interventions and supports as adopted by the school district.

(5) TRAINING.—Each school district shall provide training to all school personnel authorized to use positive behavior interventions and supports pursuant to school district policy. Training shall be provided annually and must include:

(a) The use of positive behavior interventions and supports.
(b) Risk assessment procedures to identify when restraint may be used.
(c) Examples of when positive behavior interventions and supports are used.
support techniques have failed to reduce the imminent risk of serious injury.

(d) Examples of safe and appropriate restraint techniques and how to use these techniques with multiple staff members working as a team.

(e) Instruction in the district’s documentation and reporting requirements.

(f) Procedures to identify and deal with possible medical emergencies arising during the use of restraint.

(g) Cardiopulmonary resuscitation.

Each school district shall publish the procedures for the training required under this subsection in the district’s special policies and procedures manual.

(6) CRISIS INTERVENTION PLAN.—

(a) Upon the second time a student is restrained during a semester, the school shall develop a crisis intervention plan for the student. The crisis intervention plan shall be developed by a team comprised of the student’s parent, school personnel, and applicable physical and behavioral health professionals.

(b) The crisis intervention plan must include:

1. Specific positive behavior interventions and supports to use in response to dangerous behaviors that create a threat of imminent risk of serious injury;

2. Known physical and behavioral health concerns that will limit the use of restraint for the student;

3. A timetable for the review and, if necessary, revision of the crisis intervention plan;

(c) The school must provide a copy of the crisis intervention plan to the student’s parent.

7. The name of any nonstudent who was present to witness the restraint or seclusion.

8. A description of the incident, including all of the following:

a. The context in which the restraint or seclusion occurred.

b. The student’s behavior leading up to and precipitating the restraint or seclusion.
the decision to use manual or physical restraint or seclusion, including an indication as to why there was an imminent risk of serious injury or death to the student or others.

c. The specific positive behavior interventions and supports behavioral strategies used to prevent and deescalate the behavior.

d. What occurred with the student immediately after the termination of the restraint or seclusion.

e. Any injuries, visible marks, or possible medical emergencies that may have occurred during the restraint or seclusion, documented according to district policies.

f. Evidence of steps taken to notify the student’s parent or guardian.

g. The date the crisis intervention plan was last reviewed and whether changes were recommended.

(c) A school shall notify the parent or guardian of a student each time manual or physical restraint or seclusion is used. Such notification must be in writing and provided before the end of the school day on which the restraint or seclusion occurs. Reasonable efforts must also be taken to notify the parent or guardian by telephone or computer e-mail, or both, and these efforts must be documented. The school shall obtain, and keep in its records, the parent or guardian’s signed acknowledgment that he or she was notified of his or her child’s restraint or seclusion.

(d) A school shall also provide the parent or guardian with the completed incident report in writing by mail within 3 school days after a student was manually or physically restrained or secluded. The school shall obtain, and keep in its records, the parent’s or guardian’s signed acknowledgment that he or she received a copy of the incident report.

(8) MONITORING.—

(a) Monitoring of the use of manual or physical restraint or seclusion on students shall be monitored each day at the classroom, building, district, and state levels.

(b) Any documentation prepared by a school pursuant to subsection (7) shall be provided to the school principal, the district director of Exceptional Student Education, and the bureau chief of the Bureau of Exceptional Education and Student Services electronically each month that the school is in session.

(c) The department shall maintain aggregate data of incidents of manual or physical restraint and seclusion and disaggregate the data for analysis by county, school, student exceptionality, and other variables, including the type and method of restraint or seclusion used. This information shall be updated monthly, de-identified, and made available to the public through the department’s website no later than October 1, 2020.

(d) The department shall establish standards for documenting, reporting, and monitoring the incident reports related to the use of manual or physical restraint or mechanical restraint, and occurrences of seclusion. These standards shall be provided to school districts by October 1, 2011.

(4) PROHIBITED RESTRAINT. School personnel may not use a mechanical restraint or a manual or physical restraint that restricts a student’s breathing.

(5) SECLUSION. School personnel may not close, lock, or physically block a student in a room that is unlit and does not
that operation of the video camera will cease unless the
continued use of the camera is requested by a parent. No later
than the 10th school day before the end of each school year, the
school must notify the parents of each student in regular
attendance in the classroom that operation of the video camera
will not continue during the following school year unless a
written request is submitted by a parent for the next school
year.

(4)(a) A video camera placed in a self-contained classroom
must be capable of all of the following:

1. Monitoring all areas of the self-contained classroom,
   including, without limitation, any room attached to the self-
   contained classroom which is used for other purposes.

2. Recording audio from all areas of the self-contained
   classroom, including, without limitation, any room attached to
   the self-contained classroom which is used for other purposes.

   (b) A video camera placed in a self-contained classroom may
   not monitor a restroom or any other area in the self-contained
   classroom where a student changes his or her clothes, except for
   the entryway, exitway, or hallway outside a restroom or other
   area where a student changes his or her clothes because of the
   layout of the self-contained classroom.

   (c) A video camera placed in a self-contained classroom is
   not required to be in operation when students are not present in
   the self-contained classroom.

   (d) If there is an interruption in the operation of the
   video camera for any reason, an explanation must be submitted in
   writing to the school principal and the district school board
   which explains the reason for and duration of the interruption.
The written explanation must be maintained at the district school board office for at least 1 year.

(5) Before a school initially places a video camera in a self-contained classroom pursuant to this section, the school shall provide written notice of the placement of such video camera to all of the following:

(a) The parent of each student who is assigned to the self-contained classroom.

(b) Each student who is assigned to the self-contained classroom.

(c) The school district.

(d) Each school employee who is assigned to work with one or more students in the self-contained classroom.

(6) A school shall:

(a) Retain video recorded from a video camera placed pursuant to this section for at least 3 months after the date the video was recorded, after which the recording shall be deleted or otherwise made unretrievable; or

(b) Retain the recording until the conclusion of any investigation or any administrative or legal proceedings that result from the recording have been completed, including, without limitation, the exhaustion of all appeals.

(7) A school or school district may not:

(a) Allow regular, continuous, or continual monitoring of videos recorded under this section; or

(b) Use videos recorded under this section for teacher evaluations or any purpose other than for ensuring the health, safety, and well-being of students receiving special education services in a self-contained classroom.

(8) The principal of the school is the custodian of a video camera operated pursuant to this section, all recordings generated by that video camera, and access to such recordings.

(a) The release or viewing of any video recording under this section must comply with s. 1002.22.

(b) A school or school district shall:

1. Conceal the identity of any student who appears in a video recording, but is not involved in the alleged incident documented by the video recording, which the school allows to be viewed under subsection (9), including, without limitation, blurring the face of the uninvolved student.

2. Protect the confidentiality of all student records contained in a video recording in accordance with s. 1002.22.

(9)(a) Within 7 days after receiving a request to view a video recording, a school or school district shall allow the following individuals to view a video recording made under this section:

1. A school or school district employee who is involved in an alleged incident that is documented by the video recording as part of the investigative process;

2. A parent of a student who is involved in an alleged incident that is documented by the video recording and has been reported to the school or school district;

3. A school or school district employee as part of an investigation into an alleged incident that is documented by the video recording and has been reported to the school or school district;

4. A law enforcement officer as part of an investigation into an alleged incident that is documented by the video recording;
Florida Senate - 2020 SB 1644

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CODING: Words *stricken* are deletions; words *underlined* are additions.

recording and has been reported to the law enforcement agency;

or

5. The Department of Children and Families as part of a
child abuse or neglect investigation.

(b) A person who requests to view a recording shall make
himself or herself available for viewing the recording within 30
days after being notified by the school or school district that
the person’s request has been granted.

(c) A person who views the recording and suspects that
child abuse has occurred must report the suspected child abuse
to the Department of Children and Families.

1012.582 Section 3. The Commissioner of Education shall develop
recommendations to incorporate instruction regarding autism
spectrum disorder, Down syndrome, and other developmental
disabilities, and emotional or behavioral disabilities into
continuing education or inservice training requirements for
instructional personnel. These recommendations shall address:

(a) Early identification of, and intervention for, students
who have autism spectrum disorder, Down syndrome, or other
developmental disabilities, or emotional or behavioral
disabilities.
(b) Curriculum planning and curricular and instructional modifications, adaptations, and specialized strategies and techniques.
(c) The use of available state and local resources.
(d) The use of positive behavior interventions and behavioral supports to deescalate problem behaviors.
(e) The appropriate use of manual physical restraint and seclusion techniques, positive behavior interventions and supports, and effective classroom behavior management strategies.
(2) In developing the recommendations, the commissioner shall consult with the State Surgeon General, the Director of the Agency for Persons with Disabilities, representatives from the education community in the state, and representatives from entities that promote awareness about autism spectrum disorder, Down syndrome, and other developmental disabilities, and emotional or behavioral disabilities and provide programs and services to persons with developmental disabilities, including, but not limited to, regional autism centers pursuant to s. 1004.55.

Section 4. This act shall take effect July 1, 2020.
THE FLORIDA SENATE
APPEARANCE RECORD

2-25-2020
Meeting Date

Education - ESE
Topic

Barbara Budgett
Name

ESE Teacher
Job Title

13706 41st Lane N.
Address

Royal Palm Beach, FL 33411
City State Zip

561-436-9484
Phone

bjudgett117@gmail.com
Email

Representing

Self

Speaking: [ ] For [ ] Against [ ] Information
Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Appearing at request of Chair: [ ] Yes [ ] No
Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb. 25
Meeting Date

HB 1644
Bill Number (if applicable)

HB 1644
Amendment Barcode (if applicable)

Topic

Jason Seidelbaum
Name

Youth Worker
Job Title

4104 N. 50 Ave
Address

Hollywood FL 33021
City State Zip

Phone 705-772-0482

Email

Speaking: ☒ For ☐ Against ☐ Information Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☒ Yes ☒ No Lobbyist registered with Legislature: ☒ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 2/25/20

Bill Number (if applicable): 1644

Amendment Barcode (if applicable): 

Topic: STUDENTS WITH DISABILITIES

Name: Rev. Dr. Russell Meyer

Job Title: Steering Comm

Address: 3838 W Cypress St

Phone: 813 435-5335

City: Tampa
State: FL
Zip: 33607

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Representing: REAL TALK COALITION FOR ED. EQUITY

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE
APPEARANCE RECORD

2/12/2020
Meeting Date

Students w/ Disabilities in Public Schools
Topic

Olivia Babis
Name

Public Policy Analyst
Job Title

2473 Cane Dr. Ste 200
Address

Tallahassee, FL 32308
City State Zip

850-617-9718
Phone

oliviab@disabilityrightsflorida.org
Email

Speaking: [ ] For [ ] Against [ ] Information

Representing Disability Rights Florida

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Appearing at request of Chair: [ ] Yes [ ] No
Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

SB 1649
Bill Number (if applicable)

 Amendment Barcode (if applicable)
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25/20

SB 1644
Bill Number (if applicable)

Topic: Students with Disabilities

Name: Eric Stern

Job Title: Legislative Committee Member

Address: 1747 Orlando Central Pkwy

Phone: 800-373-5782

Email: _______________________

City: Orlando

State: FL

Zip: 32809

Speaking: [ ] For [ ] Against [ ] Information

Representing: Florida PTA

Waive Speaking: [x] In Support [ ] Against
(The Chair will read this information into the record.)

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [x] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25

Bill Number (if applicable): 1694

Amendment Barcode (if applicable):

Topic: Students with Disabilities in Public Schools

Name: Megan Turetsky

Job Title: Government Affairs Manager

Address: 6600 W Commercial Blvd

Phone: 954-551-0733

City: Lauderhill

Email: mturetsky@cscbroward.org

State: FL

Zip: 33319

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against

(The Chair will read this information into the record.)

Representing: Children's Services Council of Broward County

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [X] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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The Florida Senate

Appearance Record

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25/20

Bill Number (if applicable): SB 1644

Amendment Barcode (if applicable): __________

Topic: Students w/ Disabilities in Public Schools

Name: Heather Davidson

Job Title: Director of Public Policy

Address: 1300 S. Andrews Ave

Phone: 954-308-9077

Email: h davidson@unitedway broward.org

City: Ft. Lauderdale, FL

State: FL

Zip: 33312

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing: United Way of Broward County

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date 2/25/20

Bill Number (if applicable) 1644

Amendment Barcode (if applicable)

Topic Students With Disabilities

Name Mary Lynn Cullen

Job Title Legislative Liaison

Address 1674 University Pkwy.

Phone 941-928-0278

Email archildren@aol.com

City Sarasota

State FL

Zip 34234

Speaking: ☑ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Advocacy Institute for Children

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

Meeting Date: 2-25-2000

Topic: Students w/ Disabilities

Name: Natalie King

Job Title: VP/COD

Address: 235 W Brandon Blvd 640

City: Brandon
State: FL
Zip: 33511

Phone: 813 924 8218

Email: Natalie.Asgarali@hilldrake.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Representing: Pupin Academics

Hillsborough 

Pasco

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
Feb. 25, 2020
Meeting Date

Topic Seclusion and Retraint use in public schools on Students with Developmental disabilities

Name Dixie Sansom

Job Title Lobbyist

Address PO Box 98
Street
Cocoa FL 329230098
City State Zip

Phone 321-543-7195
Email dixiesansom@aol.com

Speaking: ☑ For ☐ Against ☐ Information
Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing The Arc of Florida

 Appearing at request of Chair: ☐ Yes ☑ No
Lobbyist registered with Legislature: ☑ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

2/25/2020

Meeting Date

Topic Video cameras in schools

Name Stephanie Kunkel

Job Title Legislative and Political Specialist

Address 213 S Adams St

Street Tallahassee FL 32312

City State Zip

Phone 850-224-2078

Email stephanie.kunkel@floridaea.org

Speaking: □ For ✔ Against □ Information

Waive Speaking: □ In Support □ Against

(The Chair will read this information into the record.)

Representing Florida Education Association

 Appearing at request of Chair: □ Yes ✔ No

Lobbyist registered with Legislature: ✔ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

SB 1644

Bill Number (if applicable)

Amendment Barcode (if applicable)

S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-25-2020
Meeting Date

SB1644
Bill Number (if applicable)

Topic
Students with Disabilities

Name
Margaret J. Hooper

Job Title
Director Public Policy

Address
124 Marion Drive #2083
Street
Tallahassee, FL 32301
City State Zip

Phone 850-488-4180
Email

Speaking: [ ] For [ ] Against [ ] Information
Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Representing
Florida Developmental Disabilities Council

Appointing at request of Chair: [ ] Yes [X] No
Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02-25-2020

Meeting Date

SB 1644

Bill Number (if applicable)

412 K 9-12

Amendment Barcode (if applicable)

Topic  Students With Disabilities in Public Schools

Name  Amy Datz

Job Title  Retired Environmental Scientist - Parent of a disabled student

Address

Street  Tallahassee

City  FL

State

Zip

Phone  (850) 322 - 7599

Email  Amalie datz @

Speaking:  [ ] For  [ ] Against  [ ] Information

Waive Speaking:  [X] In Support  [ ] Against

(The Chair will read this information into the record.)

Representing  Self

Appearing at request of Chair:  [ ] Yes  [X] No

Lobbyist registered with Legislature:  [ ] Yes  [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
I. Summary:

PCS/SB 1688 modifies the administration of the Voluntary Prekindergarten Education Program (VPK) and the school readiness program and reorganizes the regulatory structure of the Office of Early Learning (OEL) to consolidate authority and oversight within the State Board of Education (SBE).

The bill expands accountability and assessment requirements for VPK providers. Specifically, the bill requires:

- A coordinated screening and progress monitoring program (CSPM) for students in VPK through grade 3 to provide information on students' progress in mastering the appropriate grade-level standards to parents, teachers, and school and program administrators.
- A program assessment that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages 3 to 5 years, in each VPK classroom.
- A performance metric that provides a score to each VPK provider based on performance.

The bill creates the Early Grade Success Advisory Committee within the Department of Education (DOE) to oversee the CSPM and requires the new screenings and assessments to be administered by individuals meeting SBE requirements.

The bill modifies the market rate schedule paid to school readiness providers to require a market rate schedule based on the prevailing market rate.
The Florida Department of Education estimates that it would cost approximately $22 million to implement the revised assessment and screening requirements. See Section V.

The bill takes effect July 1, 2020.

II. Present Situation:

State Level Governance

State Board of Education

The State Board of Education (SBE) is the chief implementing and coordinating body of public education in Florida and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education, except for the state university system. The SBE has authority over the Department of Education (DOE) and is authorized to delegate the SBE’s general powers to the Commissioner of Education (commissioner) or the directors of the divisions of the DOE.

Department of Education

The DOE is the administrative and supervisory agency under the implementation direction of the SBE. The commissioner is appointed by the SBE and serves as the executive director of the DOE. The DOE includes the Office of Early Learning (OEL), which is administered by an executive director who is fully accountable to the commissioner.

Office of Early Learning

The OEL oversees three programs—the school readiness program, the Voluntary Prekindergarten Education Program (VPK), and child care resource and referral services—and an annual budget of $1.3 billion. The OEL is the lead agency in Florida for administering the federal Child Care and Development Block Grant Trust Fund (CCDF). The OEL adopts rules as required for the establishment and operation of the school readiness program and the VPK program. The executive director of the OEL is responsible for administering early learning programs at the state level. The OEL administers statewide the child care resource and referral (CCR&R) network, which provides information about state-funded early learning programs, provides families with a customized listing of child care providers, and is used to document

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1 The State Board of Education is established as “a body corporate and [shall] have such supervision of the system of free public education as is provided by law.” Art. IX, s. 2, Fla. Const.
2 Section 1001.02, F.S.
3 Section 1001.20(1), F.S.
4 Section 20.15(2), F.S.
5 Section 20.15(3)(i), F.S.
6 Id.
7 Early Learning Services Program Total, s. 2, ch. 2019-115, L.O.F.
8 Section 1002.82(1), F.S.
9 The OEL is required to submit the rules to the State Board of Education for approval or disapproval. If the state board does not act on a rule within 60 days after receipt, the rule shall be immediately filed with the Department of State. Section 1001.213, F.S.
requests for services and provide technical assistance to providers regarding initiating or expanding services and program and budget development.\textsuperscript{10}

The OEL employs an inspector general, as required by law, to promote accountability, integrity, and efficiency in the administration of early learning programs.\textsuperscript{11} Statutory duties of the inspector general include the duty to advise the OEL in the development of performance measures, standards, and procedures employed by the OEL.\textsuperscript{12} The inspector general also maintains the duty to support the OEL by preventing and detecting fraud and abuse. The OEL annually processes approximately $2 million in repayments from early learning coalitions (ELCs) or individuals who have committed fraud.\textsuperscript{13}

\textit{Early Learning Coalitions}

The OEL governs the day-to-day operations of statewide early learning programs and administers federal and state child care funds. Across the state, 30 regional early learning coalitions (ELCs) are responsible for delivering local services, including the VPK program and the school readiness program.\textsuperscript{14} Each ELC is governed by a board of directors comprised of various stakeholders and community representatives.\textsuperscript{15} The SBE does not have authority over ELCs, and early learning data is not collected in the K-20 student database as part of the management information databases governed by the SBE.\textsuperscript{16}

\textit{The Voluntary Prekindergarten Education Program}

The Florida Constitution requires the State to provide every four-year old child a high quality pre-kindergarten learning opportunity in the form of an early childhood development and education program which must be voluntary, high quality, free, and delivered according to professionally accepted standards.\textsuperscript{17} In 2004, the State established a free VPK program offered to eligible four-year-old children.\textsuperscript{18} Parents may choose either a school-year or summer program offered by either a public or private school.\textsuperscript{19} $402.3 million was appropriated from General


\textsuperscript{11} Section 20.055(1), F.S.

\textsuperscript{12} Section 20.055(1), F.S.

\textsuperscript{13} Florida Department of Education, \textit{Agency Legislative Bill Analysis for HB 1013} (2020), at 19.


\textsuperscript{15} Section 1002.83(3), F.S.


\textsuperscript{17} Art. IX, s. 1(b), Fla. Const. An early childhood development and education program means an organized program designed to address and enhance each child’s ability to make age appropriate progress in an appropriate range of settings in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities through education in basic skills and such other skills as the Legislature may determine to be appropriate.

\textsuperscript{18} Section 1, ch. 2004-484, L.O.F.; part V, ch. 1002, F.S.; see also Art. IX, s. 1(b)-(c), Fla. Const.

\textsuperscript{19} Section 1002.53(3), F.S.
Revenue for the VPK program in the 2019 General Appropriations Act.\textsuperscript{20} During the 2017-2018 academic year, 6,378 VPK providers served 169,076 students enrolled in a VPK program.\textsuperscript{21}

ELCs and school districts administer the VPK program at the county or regional level. Each ELC is the single point of entry for VPK program registration and enrollment in the coalition’s county or multi-county service area.\textsuperscript{22} A local ELC must coordinate with the local school district in the ELC’s service area to develop procedures for enrolling children in public school VPK programs.\textsuperscript{23}

The OEL adopts procedures governing the administration of the VPK program for ELCs and school districts, including procedures for:\textsuperscript{24}

\begin{itemize}
  \item Enrolling children and documenting and certifying student enrollment and student attendance.
  \item Providing parents with profiles of VPK providers.
  \item Registering private prekindergarten providers and public schools to deliver the program.
  \item Determining the eligibility of private prekindergarten providers to deliver the program and streamlining the process of provider eligibility whenever possible.
  \item Verifying the compliance and removing VPK providers from eligibility to deliver the program due to noncompliance or misconduct.
  \item Placing schools on probation and requiring corrective actions.
  \item Paying VPK providers.
  \item Reconciling advance payments in accordance with the uniform attendance policy.
  \item Reenrolling students dismissed by a VPK provider for noncompliance with the VPK provider’s attendance policy.
  \item Approving improvement plans.
  \item Approving and paying specialized instructional services providers.
\end{itemize}

The OEL consults with the DOE regarding procedures implemented by ELCs and school districts for administering corrective action to VPK providers and administering the VPK program for specialized instructional services for children with disabilities.\textsuperscript{25}

**Early Learning Advisory Council**

The Florida Early Learning Advisory Council (ELAC) is required to submit recommendations to the OEL on best practices, including recommendations relating to the most effective administration of the VPK program and the school readiness program. The ELAC must also periodically analyze and provide recommendations to the OEL on the effective and efficient use

\textsuperscript{20} Specific Appropriation 89, s. 2, ch. 2019-115, L.O.F.
\textsuperscript{23} Section 1002.53(4), F.S.
\textsuperscript{24} Section 1002.75(2), F.S.
\textsuperscript{25} Section 1002.67(3), F.S.; see also s. 1002.66, F.S.
of local, state, and federal funds; the content of professional development training programs; and best practices for the development and implementation of coalition plans.26

**VPK Instructor Requirements**

A VPK provider offering a school-year VPK program must have, for each class, at least one instructor with:27

- A Child Development Associate (CDA) issued by the National Credentialing Program of the Council for Professional Recognition; or
- A credential approved by the Department of Children and Families (DCF) as being equivalent to or greater than the CDA; and
- Five clock hours of training in emergent literacy and successful completion of a student performance standards training course.

An instructor in a school-year VPK program implemented by a public school district must meet the same qualifications that are required of a private VPK program instructor, in addition to standard employment requirements for all instructional personnel in public schools.28 A school-year VPK provider must have a second adult instructor for each class of 12 or more students; however, the second instructor is not required to meet the same qualifications as the lead instructor.29

The OEL sets minimum standards for emergent literacy training courses for VPK instructors. Each course must be at least five clock hours long and provide strategies and techniques regarding the age-appropriate progress of prekindergarten students in developing emergent literacy skills. Each emergent literacy course must also provide strategies for helping students with disabilities and other special needs maximize their benefit from the VPK program.30

Each course on performance standards must be at least three clock hours, provide instruction in strategies and techniques to address age-appropriate progress of each child in attaining the standards, and be available online.31

**VPK Performance Standards**

The OEL develops and adopts performance standards for students in VPK programs. The performance standards must address the age-appropriate progress of students in the development of.32

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26 Section 1002.77, F.S.
27 Sections 1002.55(3)(c)1.a. and 2., 1002.59, and 1002.63(4), F.S. An active Birth Through Five Child Care Credential awarded as a Florida Child Care Professional Credential, Florida Department of Education Child Care Apprenticeship Certificate, or Early Childhood Professional Certificate satisfies the staff credential requirement. Florida Department of Children and Families, *Child Care Facility Handbook* (2017), incorporated by reference in Rule 65C-22.001(7), F.A.C.
29 Sections 1002.55(3)(f) and 1002.63(7), F.S.
30 Section 1002.59(1), F.S.
31 Section 1002.59(2), F.S.
32 Section 1002.67, F.S.; Art. IX, s. 1(b), Fla. Const.
• The capabilities, capacities, and skills required in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities.
• Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

Each VPK provider’s curriculum must be developmentally appropriate, designed to prepare a student for early literacy, enhance age-appropriate student progress in attaining state-adopted performance standards, and prepare students to be ready for kindergarten based on the statewide kindergarten screening. VPK providers may select or design the curriculum for their classrooms, unless they are on probation as a result of their kindergarten readiness rates falling below the minimum rate.33

Statewide Kindergarten Readiness Screening

The DOE has adopted a statewide kindergarten readiness screening, the Florida Kindergarten Readiness Screener (FLKRS),34 and requires each school district to administer the statewide kindergarten readiness screening within the first 30 days of each school year.35 The screening must measure a child’s readiness for kindergarten in eight domains: physical development; approaches to learning; social and emotional development; language and literacy; mathematical thinking; scientific inquiry; social studies; and creative expression through the arts.36

Kindergarten student scores on the FLKRS administered during the first 30 days of the school year must demonstrate a score of at least 500 on the Star Early Literacy assessment to be considered “ready for kindergarten.” The “Percent of Children Ready for Kindergarten” is calculated as the number of “Children Ready for Kindergarten” on the screening measure divided by the total number of “Children Screened.”37 For the fall 2018 administration of FLKRS, 97,652 out of 185,252 kindergarten students, or 53 percent, were designated as “ready for kindergarten”.38

Kindergarten Readiness Rate

The OEL annually calculates a kindergarten readiness rate for each VPK provider based on results of the annual screening.39 The readiness rates are expressed as the percentage of children whose scores demonstrate readiness for kindergarten.40 The methodology for calculating the readiness rate must include student learning gains, when available, based on a VPK pre- and

33 Florida Department of Education, Agency Legislative Bill Analysis for HB 1013 (2020); Section 1002.67, F.S.
35 Sections 1002.69(1)-(3) and 1002.73, F.S.
36 See s. 1002.67(1), F.S. See also Florida’s Office of Early Learning, Early Learning and Developmental Standards: 4 Years Old to Kindergarten (2017) at 1, incorporated by reference in rule 6M-8.602, F.A.C.
39 Rule 6M-8.601(3)(b), F.A.C.
40 Sections 1002.69(5)-(6), F.S.; To be considered “ready for kindergarten,” a student must achieve a score of 500 or higher on the Star Early Literacy assessment. Rule 6M-8.601, F.A.C.
post-assessment, known as the “Florida VPK Assessment.” The OEL must determine learning gains using a value-added measure based on growth demonstrated by the results of the Florida VPK Assessment from at least two successive years of administration.

VPK Provider Readiness Rates are calculated based on the statewide kindergarten readiness screening in combination with learning gains from the Florida VPK Assessment counting ten percent toward a provider’s readiness rate.

**VPK Provider Probation and Corrective Action**

At least 60 percent of a VPK provider’s students must meet the “ready for kindergarten” score on the screening in order for the provider to avoid probationary status. Providers that do not meet the minimum readiness rate are placed on probation. An ELC or school district must require a VPK provider that falls below the minimum kindergarten readiness rate to:

- Submit for approval and implement an improvement plan;
- Place the provide or school on probation; and
- Take certain corrective actions, including the use of an OEL-approved curriculum or an OEL approved staff development plan to strengthen instruction in language development and phonological awareness.

Based on the fall 2017 administration of FLKRS, 2,615 of the 6,026 rated VPK providers failed to meet the minimum rate.

**Good Cause Exemption**

A VPK provider on probation and failing to meet the minimum readiness rate for two consecutive years must be removed from eligibility to provide the VPK program for 5 years; unless the provider receives a good cause exemption. A VPK provider must submit a request for a good cause exemption to OEL for review and approval. The request must include:

- Data which documents student achievement and learning gains, as measured by a state-approved pre- and post-assessment.
- Data available from the respective ELC or district school board, the DCF, local licensing authority, or an accrediting association, as applicable, relating to the provider’s compliance with state and local health and safety standards.
- Data available to the OEL on the performance of the children served and the calculation of the provider’s kindergarten readiness rate.

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41 Section 1002.69(5), F.S.; Rule 6A-1.09433(1)(b), F.A.C.
42 Section 1002.69(5), F.S. The current readiness rate determined by the OEL is calculated by the results of the kindergarten screening only. Rule 6M-8.601(3)(b), F.A.C.
44 Rule 6M-8.601(3)(b), F.A.C.
45 Section 1002.67(4), F.S.
46 Section 1002.67(4)(c)1., F.S.
47 Email from Elizabeth Moya, Director of Legislative Affairs, Florida Department of Education (Mar. 29, 2019) (on file with the Senate Committee on Education).
48 Section 1002.67(4)(c)3., F.S.
49 Section 1002.69(7)(b)-(c), F.S.
A VPK provider that receives a good cause exemption must continue to implement its improvement plan and take corrective actions until the provider meets the minimum kindergarten readiness rate. The OEL must notify the applicable ELC of the good cause exemption, which remains valid for one year, and may be renewed upon request by the VPK provider. A good cause exemption may not be granted to any VPK provider that has any class I violations or two or more class II violations within the two years preceding the provider’s request for an exemption. Additionally, if a provider refuses to comply with program requirements or engages in misconduct, the OEL must require the ELC or district school board to remove the provider from eligibility to deliver the VPK program for a period of five years.

**The School Readiness Program**

The school readiness program provides subsidies for child care services and early childhood education for children of low-income families, children in protective services who are at risk of abuse, neglect, or abandonment, and children with disabilities. The school readiness program offers financial assistance for child care to support working families and children to develop skills for success in school and provides developmental screening and referrals to health and education specialists where needed. To participate in the school readiness program, a provider must execute a school readiness contract. During the 2017-2018 academic year, 7,668 school readiness providers served 201,474 children enrolled in a school readiness program.

**Program Assessment**

The OEL is required to adopt a program assessment for school readiness program providers that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages birth to 5 years. The OEL budgeted $6 million for the administration of the program assessment for the 2018-2019 fiscal year. All school readiness providers must receive an annual program assessment and meet the required minimum program assessment composite score prior to executing a school readiness contract. In the 2017-2018 academic year, 11, or 0.3

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50 Sections 1002.69(7)(e) and 1002.67(3)(c)2., F.S.
51 Section 1002.69(7), F.S.
52 Section 1002.69(7)(d), F.S. DCF classifies licensing violations as class I, II, and III violations. Class I violations consist of conduct posing an imminent threat to a child. Class II violations pose a threat to the health, safety or well-being of a child, although the threat is not imminent. Rule 65C-22.010(1)(d), F.A.C.
53 Section 1002.67(4)(b), F.S.
54 Section 1002.87, F.S.
55 Section 1002.86, F.S.
58 Section 1002.82(2)(n), F.S.
60 Rule 6M-4.741, F.A.C.
percent, of providers failed to attain the minimum program assessment composite score required for contracting.\textsuperscript{61}

The OEL has adopted a differential payment program based on quality measures of school readiness providers.\textsuperscript{62} The differential payment may not exceed a total of 15 percent for each care level and unit of child care for a child care provider.\textsuperscript{63} No more than five percent of the 15 percent total differential may be provided to providers who submit valid and reliable data to the statewide information system in the domains of language and executive functioning using a child assessment. Providers who fail to attain a minimum composite score on the program assessment are ineligible for a differential payment.\textsuperscript{64}

**School Readiness Funding**

Funding for the school readiness program is allocated among the ELCs according to law and the General Appropriations Act.\textsuperscript{65} The school readiness program is funded primarily by the CCDF block grant.\textsuperscript{66} State, federal, and local matching funds provided to an ELC for purposes of the school readiness program must be used for implementation of its approved school readiness program plan, including the hiring of staff to effectively operate the school readiness program.\textsuperscript{67}

For Fiscal Year 2019-2020, a total of $760.8 million was appropriated for the school readiness program from state and federal funds.\textsuperscript{68}

**Market Rate**

The OEL is required to establish procedures for the adoption of a market rate schedule for the school readiness program. The schedule must include, at a minimum, county-by-county rates, differentiated by type of child care provider and the type of child care services provided. Rates must be differentiated for the types of providers by:\textsuperscript{69}

- The minimum and the maximum rates for child care providers that hold a Gold Seal Quality Care (GSQC) designation.
- Child care providers that do not hold a GSQC designation.
- Licensed child care facilities.
- Public or nonpublic schools exempt from licensure.
- Faith-based child care facilities exempt from licensure.
- Licensed large family child care homes.
- Licensed or registered family day care homes.

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\textsuperscript{61} Florida Department of Education, *School Readiness Funding Model Allocation Methodology* (Oct. 1, 2019) (On file with staff of the Education Committee).

\textsuperscript{62} Rule 6M04.500, F.A.C.

\textsuperscript{63} Section 1002.82(2)(o), F.S.

\textsuperscript{64} Id.

\textsuperscript{65} Section 1002.89(1), F.S.


\textsuperscript{67} Section 1002.89(5), F.S.

\textsuperscript{68} Specific Appropriation 86, s. 2, ch. 2019-115, L.O.F.

\textsuperscript{69} Section 1002.895, F.S.
The market rate schedule must also differentiate rate by the type of child care services provided, including services provided for:70

- Children with special needs or risk categories.
- Infants, toddlers, preschool-age children, and school-age children.
- Full-time and part-time child care.

Reimbursement rates for school readiness providers are paid based on a child’s care level and unit of care as defined by the ELC’s approved provider rate schedule for the county in which the provider’s facility is located.71 ELCs are required to consider the market rate schedule in the adoption of a payment schedule.

The payment schedule must consider the average market rate, include the projected number of children to be served, and be submitted for approval by the OEL. Informal child care arrangements may be reimbursed at no more than 50 percent of the rate adopted for a family day care home.72

The 2017 market rate report, updated in 2019, includes a state summary that reflects market rates by provider type and service type. For example, the average market rate in the state for GSQC designated private child care facilities was $195.72 for services provided to infants.73 The 75th percentile rate for the same services was $225.74 The reimbursement rate for providers was $156.76. For private child care facilities without a GSQC designation, the average market rate was $169.02 for services provided to infants, and the 75th percentile rate was $190, and the reimbursement rate was $131.93.75

**Contracted Slots**

The OEL is required to adopt a standard statewide provider contract to be used with each school readiness program provider. The standard statewide contract must include minimum statutory requirements, such as contracted slots and provisions for provider probation and termination.76 A school readiness child care slot is the number of school readiness paid child care slots filled during a month of service.77 The standard statewide provider contract provides an option for school readiness providers to participate in a Contracted Slots Program whereby a provider agrees to reserve a specified number of slots determined necessary by the ELC in return for a higher reimbursement rate.78

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70 Section 1002.895, F.S.
71 Rule 6M-4.500, F.A.C.
72 Section 1002.895, F.S.
74 Id.
75 Id.
76 Section 1002.82(2)(m), F.S.
77 Rule 6M-4.740, F.A.C.
78 Rule 6M-4.610, F.A.C., Form OEL-SR 20 (July 2019).
If an ELC participates in the Contracted Slots Program, and the ELC determines a provider is eligible for the program, then the coalition may reimburse the provider up to ten percent above the 75th percentile of the market rate.\(^79\)

**Gold Seal Quality Care Program**

The DCF is responsible for enforcing compliance with licensing standards by child care facilities, including large family child care homes and family day care homes.\(^80\)

The DCF also adopts rules to administer the GSQC Program.\(^81\) A GSQC designation entitles a school readiness provider to a rate differential at 20 percent above the ELC’s approved reimbursement rate.\(^82\) The law disqualifies child care facilities from accreditation if they receive a specified maximum number of Class I, II, or III violations within the two-year period preceding the application for accreditation.\(^83\)

Educational materials, such as glue, paper, paints, crayons, unique craft items, scissors, books, and educational toys purchased by a licensed child care facility that meets minimum statutory standards, holds a current GSQC designation, and provides basic health insurance to all employees are exempt from sales, rental, use, consumption, distribution, and storage tax.\(^84\) A licensed or legally exempt child care facility that achieves GSQC status is an educational institution exempt from ad valorem tax.\(^85\)

Currently, 1,852 child care facilities, large family child care homes, and family day care homes possess a GSQC designation.\(^86\)

**Research-Based Reading Allocation**

The Florida Education Finance Program (FEFP), which is used to provide equalized funding for all school districts across the state, includes a research-based reading allocation for districts to provide a K-12 comprehensive system of research-based reading instruction. Authorized uses of funds allocated under the research-based reading allocation include the following: \(^87\)

- An additional hour per day of intensive reading instruction to students in the 300 lowest performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading.

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\(^79\) Rule 6M-4.500, F.A.C.
\(^80\) Section 402.305, F.S. Certain child care facilities which are an integral part of a church or specified parochial school are exempt from licensing standards. Section 402.316, F.S.
\(^81\) Section 402.281, F.S.
\(^82\) Rule 6M-4.500, F.A.C.
\(^83\) Section 402.281, F.S. DCF rules governing child care facilities define Class I, II, and III violations, which are designated in ascending order of severity, for noncompliance with minimum licensing standards of child care facilities. Rule 65C-20.012, F.A.C.
\(^84\) Section 212.08, F.S.
\(^85\) Section 402.26, F.S.
\(^87\) Section 1011.62(9), F.S.
- Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.
- Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.
- Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school district teachers earn a certification or an endorsement in reading.
- Summer reading camps, using only teachers or other district personnel who are certified or endorsed in reading, for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized English Language Arts assessment.
- Supplemental instructional materials that are grounded in scientifically based reading research as identified by the Just Read, Florida! Office.
- Intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment.

The Legislature appropriated $130 million for research-based reading instruction for the 2019-2020 fiscal year.\(^8\)

### III. Effect of Proposed Changes:

The bill modifies the administration of the Voluntary Prekindergarten Education Program (VPK) and the school readiness program and reorganizes the regulatory structure of the Office of Early Learning (OEL) to consolidate authority and oversight within the State Board of Education (SBE).

The bill expands accountability and assessment requirements for VPK providers. Specifically, the bill requires:

- A coordinated screening and progress monitoring program (CSPM) for students in VPK through grade 3 to provide information on students’ progress in mastering the appropriate grade-level standards to parents, teachers, and school and program administrators.
- A program assessment that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages 3 to 5 years, in each VPK classroom.
- A performance metric that provides a score to each VPK provider based on performance.

The bill creates the Early Grade Success Advisory Committee within the Department of Education (DOE) to oversee the CSPM and requires the new screenings and assessments to be administered by individuals meeting SBE requirements.

\(^8\) Specific Appropriations 6 and 93, s. 2, ch. 2019-115, L.O.F.
The bill modifies the market rate schedule paid to school readiness providers to require a market rate schedule based on the prevailing market rate.

**State Level Governance**

The bill shifts regulatory authority over the early learning system from the OEL to the SBE and the DOE and repeals the Early Learning Advisory Council and the Child Care Executive Partnership Program. The bill makes conforming changes throughout Florida law and redesignates:

- The K-20 education system as the Early Learning-20 education system.
- The K-20 Education Code as the Early Learning-20 Education Code.
- The OEL as the Division of Early Learning.
- The K-20 data warehouse as the education data warehouse.

**State Board of Education**

The bill adds responsibilities for the SBE in the administration of early learning programs, including the responsibility to oversee the performance of ELCs. The conforming changes in the bill that transform the K-20 public education system into the Early Learning-20 public education system confer general rulemaking authority to the SBE for the improvement of the early learning system. The bill extends SBE oversight and enforcement authority to ELCs. The bill also transfers specific rulemaking authority to the SBE for various duties formerly assigned to the OEL.

The bill also requires early learning data, which is currently not part of the K-20 education data warehouse, to be included in the management information system databases overseen by the SBE in conjunction with the Florida Board of Governors.

**Department of Education**

The bill requires the DOE to assume responsibilities for executing processes governing the administration of early learning programs that were formerly assigned to the OEL, including the adoption of performance standards for students and instructors in early learning programs. The bill also requires the DOE to adopt performance standards and outcome measures for ELCs that, at a minimum, include the development of objective customer service surveys that must be deployed to:

- Customers who use the statewide child care resource and referral network.
- Parents at the time of eligibility determination.
- Child care providers that participate in the school readiness program or the VPK program at the time of execution of the statewide provider contract.
- Board members of ELCs.

The bill brings ELCs under SBE and DOE oversight authority. Specifically, the bill:

- Requires the results of the customer service surveys of ELCs to be based on a statistically significant sample size and calculated annually for each ELC and included in the DOE’s annual report.
- Requires the DOE, beginning in 2022-2023 fiscal year, to place an ELC on a one-year corrective action plan if its customer satisfaction survey results fall below 60 percent, and
The bill also modifies the membership requirements of ELCs. Specifically, the bill:

- Removes the requirement that ELCs appoint a central agency administrator, where applicable.
- Authorizes, in the absence of a governor-appointed chair, the COE to appoint an interim chair from the current ELC board membership.
- Adds to the requirement of existing law that each ELC include a children’s services council or juvenile welfare board chair or executive director to additionally require that each ELC must include a children’s services council or juvenile welfare board chair or executive director from each county within the ELC’s jurisdiction.
- Clarifies that a DCF child care regulation representative may serve as an alternative to required member who also serves as an agency head.
- Authorizes an ELC to request an alternate ELC member who meets the same qualifications or membership requirements of a member who the ELC determines is not participating.
- Authorizes ELCs to appoint additional members who are independent private sector business members.
- Requires each ELC to complete an annual evaluation of the ELC’s executive director or chief executive officer on forms adopted by the DOE. The annual evaluation must be submitted to the COE by June 30 of each year.

The bill also makes conforming changes to law regarding the reorganization of the OEL within the DOE and removes the authority for the OEL to access records of the DCF concerning reports of child abandonment, abuse, or neglect, including records of reports made to the central abuse hotline.

The bill provides additional transparency of VPK and School Readiness program providers by requiring the following additional information be accessible through the CCR&R:

- Whether the provider participates in the Child Care Food Program.
- A link to licensing inspection reports.
- A VPK provider’s performance metric, including its program assessment composite score, learning gains score, achievement score, and its designations.
- A School Readiness provider’s program assessment composite score, including care-level composite scores delineated by infant, toddler, and preschool classrooms.
- Whether a School Readiness program participates in child observation assessments.
- Whether the provider holds a GSQC designation.
- Whether the provider implements a DOE-approved curriculum and the name of the curriculum.
The Voluntary Prekindergarten Education Program

The bill transfers to the DOE the requirements for the OEL to adopt rules for VPK administration by ELCs and school districts. For example, the bill requires the DOE to adopt procedures for distributing funds to ELCs. The bill also modifies performance standards for VPK providers, instructors, and students.

The bill adds to the list of eligible VPK providers:
- A nationally accredited child development program operating on a certified military installation, which may also demonstrate required liability coverage by affirming that it is subject to jurisdiction under the federal Tort Claims Act. 89
- A private prekindergarten provider with a provisional child care facility license.

VPK Instructor Requirements

The bill also modifies requirements for VPK instructors and administrators by adding to the requirement that school districts give priority to teachers who have experience or coursework in early childhood education that the teachers must also have completed emergent literacy and performance standards courses. The bill also provides that:
- A VPK instructor in a class of 11 or less children must complete two additional emergent literacy training courses, for a total of three, and adds that they must include developmentally appropriate and experiential learning practices for children.
- The completion by a prekindergarten instructor of a student performance standards training course is not required until July 1, 2021, and the bill requires completion of the course to be recognized as part of the informal early learning career pathway and provided for free or at a low cost and available online or in person.
- A prekindergarten director credential must include training in the implementation of curriculum and usage of student level data to inform the delivery of instruction.
- The possession of a child care facility director credential completed before the later of the establishment of the prekindergarten director credential or July 1, 2006, no longer satisfies the requirement that a private VPK provider have a prekindergarten director who has a prekindergarten director credential.
- A certificate in educational leadership issued by the DOE to a private school administrator satisfies the requirement for a prekindergarten director credential.
- VPK curricula must support student learning gains through differentiated instruction as measured by the CSPM.

The bill modifies requirements for professional development training courses to require the DOE to make professional development courses available that train prekindergarten instructors and increase the competency of teacher-child interactions. Each course must be comprised of at least eight clock hours, provide instruction in strategies and techniques to address the age-appropriate progress of each child in attaining performance standards, and be available online.

89 28 U.S.C. s. 2671.
**VPK Performance Standards**

The bill modifies the performance standards for students in the VPK program and adds mathematical thinking and early math skills to the list of student skills required to be addressed in performance standards adopted by the DOE for the VPK program. The bill also:

- Adds early math skills to the required curricula of a VPK provider and the training courses that the DOE must adopt procedures for approving.
- Removes the requirement that performance standards be tied to the statewide kindergarten screening.
- Modifies the existing requirement that the OEL periodically review and revise the performance standards to require the DOE to review and revise the standards at least once every 3 years.

The bill repeals the existing statewide kindergarten readiness screening, but requires public schools to administer a statewide kindergarten screening in the 2020-2021 academic year within the first 30 school days and authorizes private schools to administer the statewide kindergarten screening.

**Coordinated Screening and Progress Monitoring Program**

The bill requires the Commissioner of Education (commissioner) to design a statewide, standardized coordinated screening and progress monitoring program (CSPM) to assess early literacy, dyslexia, and mathematics skills, and the English Language Arts and mathematics standards established in law.

Beginning in the 2021-2022 academic year, the bill requires all VPK and public school kindergarten students to participate in the CSPM within the first 30 days of enrollment, midyear, and within last 30 days of the school year. The bill requires each parent who enrolls a child in VPK to allow the child to participate in the CSPM.

The bill establishes the purposes of the CSPM. Specifically, the bill requires the CSPM to:

- Assess progress of students in VPK to grade 3 in meeting expectations in early literacy and math skills and English Language Arts and math.
- Provide data for VPK provider accountability.
- Provide baseline data to the DOE for each student’s readiness for kindergarten, and requires the kindergarten readiness to be based on progress monitoring results within the first 30 days of enrollment.
- Identify strengths and needs of students in VPK to grade 3.
- Assess achievement of educational goals and curricular standards at the provider, school, district, and state levels.
- Provide information to aid in the development of educational programs and policies.
- Measure equivalent levels of growth and be a developmentally appropriate valid and reliable direct assessment.
- Accurately measure core content in the applicable grade level standards.
- Document learning gains for the achievement of grade level standards.
- Provide teachers with progress monitoring supports and materials that enhance differentiated instruction and parent communication.
• Be able to capture students performing below grade or developmental level.

The bill provides requirements for the use of data obtained from the administration of the CSPM. Specifically, the bill provides that the data from the CSPM must be used by VPK providers and school districts to improve instruction. The data must also be used by teachers to guide learning objectives and provide timely and appropriate supports and interventions to students not meeting grade level expectations.

The bill requires the results of the CSPM to be reported to the DOE for inclusion in the educational data warehouse and requires the DOE to use the data to:

• Identify student learning gains;
• Index development learning outcomes upon program completion relative to performance standards and representative norms; and
• Inform a provider's performance metric.

The bill requires each VPK provider and public school to provide parents with screening or progress monitoring results within seven days.

Research-Based Reading Allocation

The bill requires any VPK student with a substantial early literacy deficiency to be referred to the local school district. The local school district may provide the student intensive reading intervention using the research-based reading allocation before the student’s participation in kindergarten. The bill also requires ELC and school district representatives to meet annually to develop strategies to transition students from VPK to kindergarten.

The bill modifies the research-based reading instruction allocation to require intensive reading instruction provided under the allocation to be evidence-based and supplemental instructional materials to be scientifically-researched and evidence-based. The bill defines “evidence-based” as demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes.

Early Grade Success Advisory Committee

The bill creates the Early Grades Success Advisory Committee (Committee) and requires the commissioner to coordinate with the Committee to develop a plan for implementation of the CSPM in consideration of the timeline required for completion of the review of new early literacy and mathematics skills and English Language Arts and mathematics standards and the VPK program standards. The bill requires the commissioner to provide data, reports, and information as requested to the Committee. The bill also provides that the Committee be composed of 17 members, who must all be residents of the state, and include:

• Fifteen members appointed by the COE, to include one representative from each of the following:
  o An urban school district
  o A rural school district
  o An urban early learning coalition
  o A rural early learning coalition
o An early learning provider
o A faith-based early learning provider
o A kindergarten teacher with at least five years of teaching experience
o A second grade teacher with at least five years of teaching experience
o A school principal
o Four representatives with subject matter expertise in early learning, early grade success, or child assessments, who must not be direct stakeholders within the 67 early learning or public school systems or potential recipients of a contract resulting from the Committee’s recommendations.

- One senator appointed by and serving at the pleasure of the President of the Senate.
- One representative of the Florida House of Representatives who is appointed by and serves at the pleasure of the Speaker of the House of Representatives.

The bill requires the Committee to elect a chair and vice chair. The chair must be one of the four members with subject matter expertise and the vice chair must be a member appointed by the President of the Senate and Speaker of the House. The bill requires the Committee to meet at least biennially in person or by teleconference to:

- Review the implementation of, training for, and outcomes of the CSPM and provide recommendations to the DOE to support grade-level reading by grade 3.
- Identify appropriate personnel, processes, and procedures for administration of the CSPM.
- Continually review data and inform the DOE on recommendations to achieve grade level proficiency by grade 3.
- Make recommendations to the DOE regarding the:
  o Methodology for calculating the performance metric and grading system for VPK providers.
  o Methodology for determining kindergarten readiness.
  o Age-appropriate learning gains by grade level required to demonstrate proficiency by grade 3.

The bill specifies that the Committee will sunset on July 1, 2023.

Performance Metric

The bill requires the DOE to adopt a performance metric to measure the effectiveness of a VPK provider. For the 2019-2020 academic year, the DOE must calculate the kindergarten readiness rate for each VPK provider based upon learning gains and the percentage of students who are assessed as ready for kindergarten.

The DOE must adopt a methodology for the performance metric beginning in the 2021-2022 academic year. The performance metric must include:

- Program assessment composite scores weighted at no less than 50 percent.
- Learning gains from the initial and final progress monitoring results. The learning gains must be determined using a value-added measure based on growth demonstrated by the results of the pre-and post-assessment in use before the 2020-2021 program year.
- Norm-referenced developmental learning outcomes.
The bill requires the methodology for calculating the performance metric to include only prekindergarten students who have attended at least 85 percent of a VPK provider’s program as opposed to the current 75 percent attendance rate required for inclusion in the kindergarten readiness rate. Based on 2017-2018 data, the new methodology would result in an 11 percent decrease of children included in the performance metric.  

The methodology must also include a statistical latent profile analysis that has been conducted by an expert. The bill requires the contracted expert to:

- Have experience in relevant quantitative analysis, early childhood assessment, and designing state-level accountability systems.
- Produce an analysis that includes a limited number of program performance metric profiles that summarize all programs' profiles that inform the assignment of a letter grading system to include designations of "unsatisfactory," "emerging proficiency," "proficient," "highly proficient," and "excellent" or comparable terminology determined by the SBE which may not include letter grades. The designation must be displayed as associated with delivery of the VPK program in the provider’s performance profile and accessible through the CCR&R.
- Confer with the Committee in the development of the methodology.
- Also develop a methodology for determining a student’s readiness for kindergarten that must be assessed by the CSPM.
- Not have had a stake or financial interest in the design or delivery of the VPK program or public school system within the last five years.

Beginning in the 2022-2023 academic year, the DOE must calculate each VPK provider’s performance metric and designation within 45 days of the conclusion of the delivered school year or summer program.

The bill specifies that the grading system adopted by the DOE must provide for a differential payment to VPK providers based on program performance, and subject to appropriations. The maximum differential payment may not exceed 15 percent of the base student allocation per full-time equivalent student. A VPK provider may not receive a differential payment if it is assigned a designation of "proficient" or below.

The bill adds the performance metric of a VPK provider to the information that the DOE must publish and provide to each parent enrolling a child in the VPK program.

**Probation**

The bill specifies that a designation of “proficient” or better demonstrate satisfactory delivery of the VPK program. A provider who fails to meet the minimum kindergarten readiness rate to probation for failing to meet the minimum kindergarten readiness rate for the 2019-2020 program year may be placed on probation. Beginning in the 2020-2021 academic year, if a VPK provider fails to meet the minimum performance metric or designation or program assessment composite score, the bill requires the applicable ELC or school district to place the VPK provider on probation and requires the VPK provider to:

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• Submit an improvement plan for approval by the ELC or school district, as applicable, and implement the plan; and
• Implement a curriculum approved by the DOE; or
• Implement a staff development plan to strengthen instruction in in emotional and instructional support, engaged support for learning, classroom organization, language development, phonological awareness, alphabet knowledge, and mathematical thinking.

The probation lasts until the VPK provider attains the minimum required performance metric or grade. The bill requires an annual notification by the DOE to any providers who have been placed on probation and continue to fail to meet the minimum performance metric. The failure to comply with the probation or attain the minimum performance metric after two years of probation must result in the VPK provider’s suspension from the program for a period of two to five years, as determined by the applicable ELC or school district.

The bill also prohibits a VPK provider from delivering a VPK program if the provider’s program assessment composite score falls below the minimum threshold for contracting or the provider’s license has been converted to a probation-status license by the Department of Children and Families (DCF).

**Good Cause Exemption**

The bill authorizes the DOE to grant a VPK provider a good cause exemption from being determined ineligible to deliver the VPK program and receive state funds for the program. The exemption is valid for one year and is renewable. A request for a good cause exemption must include data from:

• The VPK provider which documents the achievement and progress of the children served, as measured by any required screenings or assessments.
• Program assessments which demonstrates effective teaching practices as recognized by the tool developer.
• The ELC or district school board, the DCF, or the local licensing authority reflecting compliance with state and local health and safety standards.

The bill requires the DOE to adopt criteria to consider when determining whether to grant a request for an exemption. The criteria must include:

• Child demographic data that evidences a VPK provider serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the student's individual education plans.
• Learning gains of children served in the VPK program on an alternative measure that has comparable validity and reliability of the screening and progress monitoring program.
• Program assessment data which demonstrates effective teaching practices as recognized by the contracted expert.
• Verification that local and state health and safety requirements are met.

The bill prohibits the DOE from granting a good cause exemption to any VPK provider that has any class I violations involving an imminent threat to the health, safety, or welfare of a student or
two or more class II\(^{91}\) violations involving an unreasonable risk to the health, safety, or welfare of a student within the two years preceding the provider’s request for an exemption. The DOE is required to inform the applicable ELC if an exemption is granted to a VPK provider that remains on probation for 2 consecutive years.

The bill requires each ELC to verify VPK provider compliance with the statutory requirements for delivering the VPK. The DOE must require each applicable ELC to suspend a provider who refuses to comply with VPK requirements or commits misconduct. The ELC must suspend the provider’s eligibility to provide VPK for a period of two to five years.

The bill incorporates the number of good cause exemptions and justifications into the annual reporting requirements of the DOE.

**The School Readiness Program**

The bill modifies requirements for regulating the school readiness program. Specifically, the bill:

- Requires the SBE to adopt rules for the implementation of the school readiness program assessment.
- Modifies the requirement that the OEL adopt rules for ELCs in the implementation of statewide procedures. The bill instead requires the DOE to provide technical support to ELCs in implementing the statewide procedures.
- Requires the commissioner to prepare, publish, and disseminate materials relating to the school readiness program.
- Requires the DOE to monitor the alignment and consistency of the standards and benchmarks that address the age-appropriate progress of children in the development of school readiness skills. This requirement modifies existing law which only requires the OEL to develop and adopt the standards and benchmarks.
- Requires the minimum program assessment composite score adopted by the DOE to align with the minimum program assessment composite score for VPK providers and requires the independent expert who conducted the statistical latent profile analysis for the methodology for calculation of the performance metric for VPK providers to review the minimum program assessment composite score.
- Requires the DOE to evaluate ELCs in the administration of school readiness programs at least biennially.

The bill modifies requirements for school readiness providers. Specifically, the bill:

- Exempts a qualified provider at a military installation from child care facility licensing requirements, health and safety and immunization requirements, and liability coverage requirements.
- Authorizes provisionally licensed child care facilities or homes to deliver the school readiness program.
- Prohibits a child care facility or home from delivering the school readiness program while its license is on a probation status.

\(^{91}\) Class I and Class II violations are defined in s. 402.281(4), F.S.
• Provides that the DOE and the ELCs may not require a school readiness provider to administer a VPK program assessment.
• Clarifies that a contract with a qualified entity to administer a regional school readiness program in the place of a noncompliant ELC lasts until the DOE reestablishes the ELC and a new school readiness plan is approved.
• Adds a parent’s participation in an Early Head Start or Head Start Program to the list of circumstances that qualify for waiver of a school readiness program copayment.

**Contracted Slots**

The bill requires, by July 1, 2021, the DOE to develop and adopt requirements for the implementation of a program designed to make available contracted slots to serve children at the greatest risk of school failure as determined by being located in an area that has been designated as a poverty area tract according to the latest census data.

The bill also provides that the contracted slot program may be used to increase the availability of child care capacity based on the assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.

**Market Rate**

The bill modifies the market rate to be paid to school readiness providers by the DOE. Specifically, the bill:

- Redefines the average market rate as the “prevailing market rate” to mean the biennially determined 75th percentile of a reasonable frequency distribution of the market rate by program level and provider type in a geographical market at which child care providers charge a person for child care services.
- Modifies the requirement that the market rate include minimum and maximum rates for Gold Seal Quality Care (GSQC) providers to clarify that the GSQC providers included in the determination of rates must also adhere to the teacher to child ratios and group size requirements of their respective accrediting associations.
- Clarifies that the payment schedule must account for the prevailing market rate and the projected number of children served in each county.
- Removes the requirement for each ELC to consider the market rate schedule.
- Removes the requirement that informal child care arrangements be reimbursed at 50 percent or less than the rate adopted for a family day care home.

**Gold Seal Quality Care Program**

The bill provides for a type two transfer of the GSQC program from the DCF to the DOE and requires the SBE to adopt rules establishing GSQC accreditation standards using nationally recognized accrediting standards as well as input from accrediting associations. The bill requires the SBE to adopt rules to provide criteria for reviewing and approving accrediting associations and for conferring and revoking GSQC status.

The bill codifies and specifies standards for approval of accrediting associations by the DOE for participation in the GSQC Program. In order to be approved by the DOE, an accrediting association must apply to the DOE and demonstrate that it is operational and:
• Is a recognized accrediting association.92
• Meets or exceeds SBE standards.93
• Is a registered corporation with the Department of State.
• Accreditation requirements that include clearly defined accreditation prerequisites and procedures for:
  o Completion of a self-study and comprehensive onsite verification for each classroom that documents compliance with standards.
  o Training for accreditation verifiers to ensure inter-rater reliability.
  o Ongoing compliance to include the filing of an annual report with the accrediting association;
  o Renewal requiring onsite verification at least every five years.
  o Verifying compliance upon transfer of ownership.
  o Revoking accreditation.
  o Communicating issues to state agencies with oversight.

The bill requires the DOE to remove the approval of an accrediting association that fails to cure within 30 days any deficiencies noted by the DOE in the processes and procedures submitted to and approved by the DOE. The DOE must remove a noncompliant accrediting association for a period of two to five years. The bill provides one year for a child care provider that was accredited by a noncompliant accrediting association to obtain a new accreditation from an approved accrediting association.

The bill prohibits minimum child care licensing standards developed by the DCF between July 1, 2020, and June 30, 2022, must be ratified by the Legislature. The bill disqualifies child care providers from accreditation if they have received a specified number of Class I, II, or III violations of the minimum licensing standards for child care facilities. The bill disqualifies a child care provider from accreditation if, within the two-year period preceding its application, the accredited provider has received:
• Any class I violations.
• Three or more class II violations.
• Three or more class III violations that were not corrected within one year.

The bill authorizes the DOE to recommend to the SBE to maintain the GSQC designation of a provider who has been in business for 5 years with no other class I violations. The bill requires licensed or legally exempt child care facilities that participate in the school readiness program and achieve GSQC status to receive at least a 20 percent rate differential for each enrolled school readiness child by care level and unit of child care. An accrediting association is liable under the bill for the repayment of any rate differentials paid to a facility as a result of a GSQC designation if the accrediting association fraudulently granted the designation.

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92 This is an existing statutory requirement of the DCF GSQC Program.
93 This is an existing statutory requirement of the DCF GSQC Program.
IV. **Constitutional Issues:**

A. **Municipality/County Mandates Restrictions:**
   
   None.

B. **Public Records/Open Meetings Issues:**
   
   None.

C. **Trust Funds Restrictions:**
   
   None.

D. **State Tax or Fee Increases:**
   
   None.

E. **Other Constitutional Issues:**
   
   None.

V. **Fiscal Impact Statement:**

A. **Tax/Fee Issues:**
   
   None.

B. **Private Sector Impact:**
   
   None.

C. **Government Sector Impact:**
   
   The revised assessment and screening requirements specified in the bill will likely result in additional state costs. Additional clarification may be needed to determine whether the required assessment must be custom-designed to fully align with new academic content standards in English language arts and mathematics. The Florida Department of Education estimates:94
   
   - $6.9 million is required to implement the new program assessment required for Voluntary Prekindergarten Education Program providers.
   - Annual expenditures of $15 million associated with the coordinated screening and progress monitoring program.

VI. **Technical Deficiencies:**

None.

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VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends ss. 20.055, 20.15, 39.202, 39.604, 212.08, 383.14, 391.308, 402.26, 402.281, 402.305, 402.315, 402.56, 411.226, 411.227, 414.295, 1000.01, 1000.02, 1000.03, 1000.04, 1001.02, 1001.03, 1001.10, 1001.11, 1001.215, 1001.23, 1001.70, 1001.706, 1002.22, 1002.32, 1002.34, 1002.36, 1002.53, 1002.55, 1002.57, 1002.59, 1002.61, 1002.63, 1002.67, 1002.71, 1002.72, 1002.73, 1002.79, 1002.81, 1002.82, 1002.83, 1002.84, 1002.85, 1002.88, 1002.89, 1002.895, 1002.91, 1002.92, 1002.93, 1002.945, 1002.95, 1002.96, 1002.97, 1002.995, 1003.575, 1007.01, 1008.25, 1008.31, 1008.32, 1008.33, and 1011.62 of the Florida Statutes.

The bill repeals the following sections of the Florida Statutes: 1001.213, 1002.69, 1002.75, 1002.77, and 1002.94.

The bill creates the following sections of the Florida Statutes: 1002.68, and 1008.2125.

The bill transfers and renumbers section 402.281 of the Florida Statutes as section 1002.945.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

( Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on Education on February 25, 2020:

Specifically related to the Gold Seal Quality Care (GSQC) program, the amendment:

- Removes from the bill the sales tax exemption for curricula purchased by child care facilities with GSQC designations.
- Clarifies that the establishment in the bill of the GSQC program within the Department of Education (DOE) is a type two transfer of the program from the Department of Children and Families (DCF). The amendment also:
  - Removes from the bill a provision specifically prohibiting the DCF from adopting licensing standards that exceed statutory standards.
  - Modifies the requirement of the bill that the legislature ratify any licensing child care licensing standards adopted by the DCF on or after July 1, 2020, to require the legislature to ratify any licensing child care licensing standards adopted by the DCF between July 1, 2020, and June 30, 2022.
- Clarifies that an accrediting association may not grant a GSQC designation to a facility that is not yet operational. The amendment modifies the requirement of the bill for an accrediting association to demonstrate accreditation requirements that include the filing of an audit and annual report with the DOE accrediting association to only require the filing of an annual report with the accrediting association.
• Modifies accreditation renewal procedures in the bill to require onsite verifications at least every five years instead of every three years.

• Provides an accrediting association 30 days to cure deficiencies before the approval of the accrediting association is terminated.

• Provides that an accrediting association is liable for the repayment of any rate differentials paid to a facility as a result of a GSQC designation if the accrediting association fraudulently granted the designation.

• Authorizes the DOE to recommend to the SBE to maintain the GSQC designation of a provider who has been in business for five years with no other class I violations.

Specifically related to delivery of the Voluntary PreKindergarten (VPK) program, the amendment:

• Modifies the requirements for the VPK provider profiles that are provided to parents.

• Provides that the emergent literacy training courses required to be completed by prekindergarten instructors must include developmentally appropriate and experiential learning practices for children.

• Provides that a prekindergarten instructor is not required to complete the student performance standards training course until July 1, 2021, and that completion of the course is recognized as part of the informal early learning career pathway.

• Removes from the bill that the student performance standards training course be offered for free or at a low cost.

• Authorizes private school administrators who hold certificates in educational leadership issued by the DOE to satisfy the requirement for a PreK director credential.

• Removes from the bill requirements for school districts to monitor public school VPK compliance and requires Early Learning Coalitions (ELCs) to monitor public school VPK compliance.

• Modifies the requirement for the DOE to calculate each VPK provider’s performance metric for the 2019-2020 program year, and instead requires the DOE to calculate each VPK provider’s kindergarten readiness rate for the 2019-2020 program year.

• Corrects the program year to a reference to the preassessment and postassessment that is utilized to demonstrate learning gains for the 2019-2020 program year to clarify that the preassessment and postassessment in use before the 2020-2021 year must be utilized (instead of the pre- and post-assessment in use before the 2021-2022 program year).

• Subjects a provider who fails to meet the minimum kindergarten readiness rate to probation for failing to meet the minimum kindergarten readiness rate for the 2019-2020 program year.

• Clarifies that VPK providers are subject to probation for failing to meet the minimum program assessment composite score, as calculated by the DOE, for the 2020-2021 program year.

• Clarifies that program assessment scores required in the bill refer to program assessment composite scores.

• Modifies the requirement of the bill that the program assessment composite score consist of approximately 50 percent of the performance metric to require the composite score to consist of no less than 50 percent of the performance metric.
• Clarifies that program assessment composite scores and performance metrics in the bill are required to be calculated for each VPK provider beginning in the 2021-2022 school year.

• Modifies the requirement of the bill that the DOE contract with an independent expert to conduct the statistical latent profile analysis to be included in the methodology for the performance metric to require the DOE to include a statistical latent profile analysis that has been conducted by an independent expert.

• Modifies the requirement of the bill for the assignment of a letter grading system for VPK providers to require the designations of "unsatisfactory," "emerging proficiency," "proficient," "highly proficient," and "excellent" or comparable terminology determined by the State Board of Education which may not include letter grades, and requires the designation to be displayed as associated with delivery of the VPK program in the provider’s performance profile.

• Subjects to an appropriation the differential payments required in the bill for VPK providers who achieve a determined minimum program designation.

• Modifies the requirement of the bill for VPK providers to meet a minimum threshold for contracting to deliver VPK to require VPK providers to meet a minimum program assessment composite score for contracting to deliver VPK.

• Modifies the requirement of the bill that the DOE adopt a minimum performance metric or grade to demonstrate satisfactory delivery of the VPK program and specifies that a designation of proficient or better demonstrates satisfactory delivery of the VPK program.

• Modifies the requirement that instructional practices in behavioral support be included in the staff development plan approved by the DOE for VPK providers who fail to meet the minimum or designation to require the staff development plan instead strengthen instructional practices in instructional support.

• Modifies the requirement of the bill that a request for a good cause exemption demonstrate effective teaching practices as recognized by the contracted expert to require the good cause exemption to demonstrate effective teaching practices as recognized by the tool developer.

• Adds early math skills to the training courses for prekindergarten instructors that the DOE must adopt procedures for approval.

• Modifies the requirement of existing law that the DOE determine the minimum threshold of school readiness providers for contracting to deliver the school readiness program to require the DOE to determine the minimum program assessment composite score that school readiness providers must achieve for contracting to deliver the school readiness program.

• Requires the minimum program assessment composite score for school readiness providers to align with the minimum program assessment composite score for VPK providers and requires the calculation of the minimum program assessment composite score to be reviewed by the independent expert who has conducted the statistical latent profile analysis for the methodology for calculation of the performance metric for VPK providers.

Specifically related to requirements for ELCs, the amendment:
● Removes from the bill additional duties for the Early Learning Programs Estimating Conference related to the payment schedule and market rate for school readiness providers.

● Removes children in the custody of a homeless parent or in court-ordered, long term custody of a relative from the specific classes of children that the bill required to be served by the contracted slots program designed by the DOE to ensure capacity is available in the school readiness program.

● Specifies that the requirement of existing law that the DOE monitor and evaluate ELCs in the administration of the school readiness program be conducted at least biennially.

● Requires the DOE to adopt performance standards and outcome measures for ELCs that, at a minimum, include the development of objective customer service surveys that must be deployed to:
  o Customers who use the statewide child care resource and referral network.
  o Parents at the time of eligibility determination.
  o Child care providers that participate in the school readiness program or the VPK program at the time of execution of the statewide provider contract.
  o Board members of ELCs.

● Requires, beginning in 2022-2023 fiscal year, the results of the customer service surveys of ELCs to be based on a statistically significant sample size and calculated annually for each ELC and included in the DOE’s annual report.

● Requires the DOE to place an ELC on a one-year corrective action plan if its customer satisfaction survey results fall below 60 percent, and authorizes the DOE to remove the ELC’s eligibility, contract out, or merge the ELC to administer early learning programs if the ELC does not improve through corrective action.

● Requires the DOE to adopt procedures for merging ELCs for failure to meet the requirements for delivering early learning programs, including procedures for the consolidation of merging coalitions that minimizes duplication of programs and services due to the merger, and for the early termination of the terms of the coalition members which are necessary to accomplish the mergers.

● Removes requirement of existing law that the ELC school readiness plan include Child Care Executive Partnership Program funds in the required accounting of revenues and expenditures.

● Authorizes, in the absence of a governor-appointed chair, the Commissioner of Education (COE) to appoint an interim chair from the current ELC board membership.

● Adds to the requirement of existing law that each ELC include a children’s services council or juvenile welfare board chair or executive director that each ELC must include a children’s services council or juvenile welfare board chair or executive director from each county within the ELC’s jurisdiction.

● Modifies requirements for ELC membership to clarify that a DCF child care regulation representative may serve as an alternative to the agency head required in existing law.

● Authorizes an ELC to request an alternate ELC member who meets the same qualifications or membership requirements of a member who the ELC determines is not participating.
• Modifies the requirement of existing law that more than one-third of the members of each ELC be independent private sector business members to authorize ELCs to appoint additional members who are independent private sector business members.

• Requires each ELC to complete an annual evaluation of the ELC’s executive director or chief executive officer on forms adopted by the DOE. The annual evaluation must be submitted to the COE by June 30 of each year.

• Restores existing law requiring ELCs to adopt payment schedules for school readiness providers and modifies the requirement to include the shift provided in the bill from average market rates to prevailing market rates.

• Modifies the services required in existing law to be provided by child care resource and referral agencies to require child care resource and referral agencies to develop early learning provider performance profiles instead of resource files, and requires early learning provider performance profiles to include, in addition to the existing requirements for resource files:
  o Participation in the Child Care Food Program, if applicable.
  o A link to licensing inspection reports, if applicable.
  o The components of the VPK Program performance metric, which must consist of the program assessment composite score, the learning gains score, the achievement score, and its designations, if applicable.
  o The school readiness program assessment composite score and program assessment care level composite scores delineated by infant classroom, toddler classroom, and preschool classroom results.
  o GSQC designation, if applicable.
  o An indication as to whether the provider implements a curriculum approved by the DOE and the name of the curriculum, if applicable.
  o An indication as to whether the provider participates in the school readiness child assessment.

• Modifies the documentation required by existing law to be maintained by child care resource and referral networks for requests for service to additionally require maintenance of customer satisfaction surveys of ELCs and requests for assistance to families that connects them to parent education opportunities, the temporary cash assistance program, or social services programs that support families with children, and related child development support services.

• Removes requirements of existing law that child care resource and referral networks maintain documentation of requests for the names of employers and focuses of business for employer-based child care programs and provision of technical assistance to existing and potential providers of child care services, that may include:
  o Information on initiating new child care services, zoning, and program and budget development and assistance in finding such information from other sources.
  o Information and resources which help existing child care services providers to maximize their ability to serve children and parents in their community.
  o Information and incentives that may help existing or planned child care services offered by public or private employers seeking to maximize their ability to serve the children of their working parent employees in their community, through contractual or other funding arrangements with businesses.

• Repeals the Child Care Executive Partnership Program.
Specifically related to the CSPM, the amendment:

- Requires the independent expert who conducts the statistical latent profile analysis required for the performance metric methodology to also develop a methodology for determining a student’s readiness for kindergarten that must be assessed by the CSPM.
- Limits administration of the CSPM in the 2021-2022 school year to students in the VPK program and kindergarten.
- Updates a reference in the bill to the Next Generation Sunshine State Standards to instead reference new early literacy and mathematics skills and the English Language Arts and mathematics standards.
- Modifies the name of the Council for Early Grade Success created in the bill to the Early Grade Success Advisory Committee, requires the committee to work with the independent expert instead of the DOE to review the methodology for determining a child’s kindergarten readiness, requires biennial instead of biannual meetings, and sunsets the committee on July 1, 2023.
- Modifies the membership requirements of the Early Grade Success Advisory Committee to:
  - Add two members, for a total of 17 members.
  - Require the COE to appoint 15 of the members.
  - Remove the requirement for the President of the Senate and the Speaker of the House to jointly appoint 13 members.
  - Remove the requirement that the Governor appoint two members.
  - Include one senator appointed by and serving at the pleasure of the President of the Senate.
  - Include one representative who is appointed by and serves at the pleasure of the Speaker of the House.
- Modifies the research-based reading instruction allocation to require intensive reading instruction provided under the allocation to be evidence-based and supplemental instructional materials to be scientifically-researched and evidence-based, and defines “evidence-based” as demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Senate Appropriations Subcommittee on Education (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraphs (a) and (d) of subsection (1) of section 20.055, Florida Statutes, are amended to read:

20.055 Agency inspectors general.—

(1) As used in this section, the term:

(a) “Agency head” means the Governor, a Cabinet officer, or a secretary or executive director as those terms are defined in
s. 20.03, the chair of the Public Service Commission, the
Director of the Office of Insurance Regulation of the Financial
Services Commission, the Director of the Office of Financial
Regulation of the Financial Services Commission, the board of
directors of the Florida Housing Finance Corporation, the
executive director of the Office of Early Learning, and the
Chief Justice of the State Supreme Court.

(d) “State agency” means each department created pursuant
to this chapter and the Executive Office of the Governor, the
Department of Military Affairs, the Fish and Wildlife
Conservation Commission, the Office of Insurance Regulation of
the Financial Services Commission, the Office of Financial
Regulation of the Financial Services Commission, the Public
Service Commission, the Board of Governors of the State
University System, the Florida Housing Finance Corporation, the
Office of Early Learning, and the state courts system.

Section 2. Present paragraphs (c) through (j) of subsection
(3) of section 20.15, Florida Statutes, are redesignated as
paragraphs (d) through (k), respectively, a new paragraph (c) is
added to that subsection, and present paragraph (i) of
subsection (3) and subsection (5) are amended, to read:

20.15 Department of Education.—There is created a
Department of Education.

(3) DIVISIONS.—The following divisions of the Department of
Education are established:

(c) Division of Early Learning.

(j)(i) The Office of Independent Education and Parental
Choice, which must include the following offices:

1. The Office of Early Learning, which shall be
administered by an executive director who is fully accountable to the Commissioner of Education. The executive director shall, pursuant to s. 1001.213, administer the early learning programs, including the school readiness program and the Voluntary Prekindergarten Education Program at the state level.

2. the Office of K-12 School Choice, which shall be administered by an executive director who is fully accountable to the Commissioner of Education.

(5) POWERS AND DUTIES.—The State Board of Education and the Commissioner of Education shall assign to the divisions such powers, duties, responsibilities, and functions as are necessary to ensure the greatest possible coordination, efficiency, and effectiveness of education for students in Early Learning-20 K-20 education under the jurisdiction of the State Board of Education.

Section 3. Paragraph (a) of subsection (2) of section 39.202, Florida Statutes, is amended to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Except as provided in subsection (4), access to such records, excluding the name of, or other identifying information with respect to, the reporter which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, the Department of Education Office of Early Learning, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapter 393, family day care homes, providers who receive school readiness funding under part VI of chapter 1002, or other homes used to provide for the care and welfare of children;
6. Employment screening for caregivers in residential group homes; or
7. Services for victims of domestic violence when provided by certified domestic violence centers working at the department’s request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

Section 4. Paragraph (b) of subsection (5) of section 39.604, Florida Statutes, is amended to read:
39.604 Rilya Wilson Act; short title; legislative intent; child care; early education; preschool.—
(5) EDUCATIONAL STABILITY.—Just as educational stability is important for school-age children, it is also important to minimize disruptions to secure attachments and stable relationships with supportive caregivers of children from birth to school age and to ensure that these attachments are not disrupted due to placement in out-of-home care or subsequent changes in out-of-home placement.
(b) If it is not in the best interest of the child for him
or her to remain in his or her child care or early education setting upon entry into out-of-home care, the caregiver must work with the case manager, guardian ad litem, child care and educational staff, and educational surrogate, if one has been appointed, to determine the best setting for the child. Such setting may be a child care provider that receives a Gold Seal Quality Care designation pursuant to s. 1002.945 or s. 402.281, a provider participating in a quality rating system, a licensed child care provider, a public school provider, or a license-exempt child care provider, including religious-exempt and registered providers, and nonpublic schools.

Section 5. Paragraph (m) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(m) Educational materials purchased by certain child care facilities.—Educational materials, such as glue, paper, paints, crayons, unique craft items, scissors, books, and educational toys, purchased by a child care facility that meets the standards delineated in s. 402.305, is licensed under s. 402.308, holds a current Gold Seal Quality Care designation pursuant to s. 1002.945 or s. 402.281, and provides basic health insurance to all employees are exempt from the taxes imposed by this chapter. For purposes of this paragraph, the term “basic
health insurance” shall be defined and promulgated in rules developed jointly by the Department of Education Children and Families, the Agency for Health Care Administration, and the Financial Services Commission.

Section 6. Paragraph (b) of subsection (1) and paragraph (b) of subsection (2) of section 383.14, Florida Statutes, are amended to read:

383.14 Screening for metabolic disorders, other hereditary and congenital disorders, and environmental risk factors.—

(1) SCREENING REQUIREMENTS.—To help ensure access to the maternal and child health care system, the Department of Health shall promote the screening of all newborns born in Florida for metabolic, hereditary, and congenital disorders known to result in significant impairment of health or intellect, as screening programs accepted by current medical practice become available and practical in the judgment of the department. The department shall also promote the identification and screening of all newborns in this state and their families for environmental risk factors such as low income, poor education, maternal and family stress, emotional instability, substance abuse, and other high-risk conditions associated with increased risk of infant mortality and morbidity to provide early intervention, remediation, and prevention services, including, but not limited to, parent support and training programs, home visitation, and case management. Identification, perinatal screening, and intervention efforts shall begin prior to and immediately following the birth of the child by the attending health care provider. Such efforts shall be conducted in hospitals, perinatal centers, county health departments, school health
programs that provide prenatal care, and birthing centers, and
reported to the Office of Vital Statistics.

(b) Postnatal screening.—A risk factor analysis using the
department’s designated risk assessment instrument shall also be
conducted as part of the medical screening process upon the
birth of a child and submitted to the department’s Office of
Vital Statistics for recording and other purposes provided for
in this chapter. The department’s screening process for risk
assessment shall include a scoring mechanism and procedures that
establish thresholds for notification, further assessment,
referral, and eligibility for services by professionals or
paraprofessionals consistent with the level of risk. Procedures
for developing and using the screening instrument, notification,
referral, and care coordination services, reporting
requirements, management information, and maintenance of a
computer-driven registry in the Office of Vital Statistics which
ensures privacy safeguards must be consistent with the
provisions and plans established under chapter 411, Pub. L. No.
99-457, and this chapter. Procedures established for reporting
information and maintaining a confidential registry must include
a mechanism for a centralized information depository at the
state and county levels. The department shall coordinate with
existing risk assessment systems and information registries. The
department must ensure, to the maximum extent possible, that the
screening information registry is integrated with the
department’s automated data systems, including the Florida On-
line Recipient Integrated Data Access (FLORIDA) system. Tests
and screenings must be performed by the State Public Health
Laboratory, in coordination with Children’s Medical Services, at
such times and in such manner as is prescribed by the department  
after consultation with the Genetics and Newborn Screening  
Advisory Council and the Department of Education Office of Early  
Learning.

(2) RULES.—

(b) After consultation with the Department of Education  
Office of Early Learning, the department shall adopt and enforce  
rules requiring every newborn in this state to be screened for  
environmental risk factors that place children and their  
families at risk for increased morbidity, mortality, and other  
negative outcomes.

Section 7. Paragraph (h) of subsection (2) of section  
391.308, Florida Statutes, is amended to read:

391.308 Early Steps Program.—The department shall implement  
and administer part C of the federal Individuals with  
Disabilities Education Act (IDEA), which shall be known as the  
“Early Steps Program.”

(2) DUTIES OF THE DEPARTMENT.—The department shall:

(h) Promote interagency cooperation and coordination, with  
the Medicaid program, the Department of Education program  
pursuant to part B of the federal Individuals with Disabilities  
Education Act, and programs providing child screening such as  
the Florida Diagnostic and Learning Resources System, the Office  
of Early Learning, Healthy Start, and the Help Me Grow program.

1. Coordination with the Medicaid program shall be  
developed and maintained through written agreements with the  
Agency for Health Care Administration and Medicaid managed care  
organizations as well as through active and ongoing  
communication with these organizations. The department shall
assist local program offices to negotiate agreements with Medicaid managed care organizations in the service areas of the local program offices. Such agreements may be formal or informal.

2. Coordination with education programs pursuant to part B of the federal Individuals with Disabilities Education Act shall be developed and maintained through written agreements with the Department of Education. The department shall assist local program offices to negotiate agreements with school districts in the service areas of the local program offices.

Section 8. Subsection (6) of section 402.26, Florida Statutes, is amended to read:

402.26 Child care; legislative intent.—

(6) It is the intent of the Legislature that a child care facility licensed pursuant to s. 402.305 or a child care facility exempt from licensing pursuant to s. 402.316, that achieves Gold Seal Quality status pursuant to s. 402.281, be considered an educational institution for the purpose of qualifying for exemption from ad valorem tax pursuant to s. 196.198.

Section 9. Section 402.281, Florida Statutes, is transferred, renumbered as section 1002.945, Florida Statutes, and amended to read:

1002.945 402.281 Gold Seal Quality Care program.—

(1)(a) There is established within the department the Gold Seal Quality Care Program.

(b) A child care facility, large family child care home, or family day care home that is accredited by an accrediting association approved by the department under subsection (3) and
meets all other requirements shall, upon application to the
department, receive a separate “Gold Seal Quality Care”
designation.

(2) The State Board of Education department shall adopt
rules establishing Gold Seal Quality Care accreditation
standards using nationally recognized accrediting standards and
input from accrediting associations based on the applicable
accrediting standards of the National Association for the
Education of Young Children (NAEYC), the National Association of
Family Child Care, and the National Early Childhood Program
Accreditation Commission.

(3)(a) In order to be approved by the department for
participation in the Gold Seal Quality Care program, an
accrediting association must apply to the department and
demonstrate that it:

1. Is a recognized accrediting association.
2. Has accrediting standards that substantially meet or
   exceed the Gold Seal Quality Care standards adopted by the state
   board department under subsection (2).
3. Is a registered corporation with the Department of
   State.
4. Can provide evidence that the process for accreditation
   has, at a minimum, all of the following components:
   a. Clearly defined prerequisites that a child care provider
      must meet before beginning the accreditation process. However,
      accreditation may not be granted to a child care facility, large
      family child care home, or family day care home before the site
      is operational and is attended by children.
   b. Procedures for completion of a self-study and
comprehensive onsite verification process for each classroom that documents compliance with accrediting standards.

c. A training process for accreditation verifiers to ensure inter-rater reliability.

d. Ongoing compliance procedures that include requiring each accredited child care facility, large family child care home, and family day care home to file an annual report with the accrediting association and risk-based, on-site auditing protocols for accredited child care facilities, large family child care homes, and family day care homes.

e. Procedures for the revocation of accreditation due to failure to maintain accrediting standards as evidenced by sub-subparagraph d. or any other relevant information received by the accrediting association.

f. Accreditation renewal procedures that include an onsite verification occurring at least every 5 years.

g. A process for verifying continued accreditation compliance in the event of a transfer of ownership of facilities.

h. A process to communicate issues that arise during the accreditation period with governmental entities that have a vested interest in the Gold Seal Quality Care Program, including the department, the Department of Children and Families, the Department of Health, local licensing entities, if applicable, and the early learning coalition.

(b) The department shall establish a process that verifies that the accrediting association meets the provisions of paragraph (a), which must include an auditing program and any other procedures that may reasonably determine an accrediting
association’s compliance with this section. If an accrediting association is not in compliance and fails to cure its deficiencies within 30 days, the department shall recommend to the state board termination of the accrediting association’s participation as an accrediting association in the program for a period of at least 2 years but no more than 5 years. If an accrediting association is removed from being an approved accrediting association, each child care provider accredited by that association shall have up to 1 year to obtain a new accreditation from a department approved accreditation association.

(c) If an accrediting association has granted accreditation to a child care facility, large family child care home, or family day care under fraudulent terms or failed to conduct on-site verifications, the accrediting association shall be liable for the repayment of any rate differentials paid under subsection (6).

(b) In approving accrediting associations, the department shall consult with the Department of Education, the Florida Head Start Directors Association, the Florida Association of Child Care Management, the Florida Family Child Care Home Association, the Florida Children’s Forum, the Florida Association for the Education of the Young, the Child Development Education Alliance, the Florida Association of Academic Nonpublic Schools, the Association of Early Learning Coalitions, providers receiving exemptions under s. 402.316, and parents.

(4) In order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family day care home must meet the following
additional criteria:

(a) The child care provider must not have had any class I violations, as defined by rule of the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of a class I violation shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class I violations for a period of 2 years.

(b) The child care provider must not have had three or more class II violations, as defined by rule of the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of three or more class II violations within a 2-year period shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class II violations for a period of 1 year.

(c) The child care provider must not have been cited for the same class III violation, as defined by rule of the Department of Children and Families, three or more times and failed to correct the violation within 1 year after the date of each citation, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of the same class III violation three or more times and failure to correct within the required time during a 2-year period may be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class III violations for a period of 1 year.

(d) Notwithstanding paragraph (a), if the department determines through a formal process that a provider has been in
business for at least 5 years and has no other class I violations recorded, the department may recommend to the state board that the provider maintain its Gold Seal Quality Care status. The state board’s determination regarding such provider’s status is final.

(5) A child care facility licensed pursuant to s. 402.305 or a child care facility exempt from licensing pursuant to s. 402.316 which achieves Gold Seal Quality status under this section shall be considered an educational institution for the purpose of qualifying for exemption from ad valorem tax under s. 196.198.

(6) A child care facility licensed pursuant to s. 402.305 or a child care facility exempt from licensing pursuant to s. 402.316 which achieves Gold Seal Quality status under this section and which participates in the school readiness program shall receive a minimum of a 20 percent rate differential for each enrolled school readiness child by care level and unit of child care.

(7) The state board Department of Children and Families shall adopt rules under ss. 120.536(1) and 120.54 which provide criteria and procedures for reviewing and approving accrediting associations for participation in the Gold Seal Quality Care program and conferring and revoking designations of Gold Seal Quality Care providers, and classifying violations.

Section 10. Type two transfer from the Department of Children and Families.—

(1) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative
authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Gold Seal Quality Care program within the Department of Children and Families are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Department of Education.

(2) Any binding contract or interagency agreement existing before July 1, 2020, between the Department of Children and Families, or an entity or agent of the department, and any other agency, entity, or person relating to the Gold Seal Quality Care program shall continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor entity responsible for the program, activity, or functions relative to the contract or agreement.

Section 11. Paragraph (c) of subsection (1) and paragraph (a) of subsection (7) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—
(1) LICENSING STANDARDS.—The department shall establish licensing standards that each licensed child care facility must meet regardless of the origin or source of the fees used to operate the facility or the type of children served by the facility.

(c) The minimum standards for child care facilities shall be adopted in the rules of the department and shall address the areas delineated in this section. The department, in adopting rules to establish minimum standards for child care facilities, shall recognize that different age groups of children may require different standards. The department may adopt different
minimum standards for facilities that serve children in different age groups, including school-age children. The department shall also adopt by rule a definition for child care which distinguishes between child care programs that require child care licensure and after-school programs that do not require licensure. Notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care. Licensing standards adopted by the department between July 1, 2020, and June 30, 2022, must be ratified by the Legislature. After-school programs that otherwise meet the criteria for exclusion from licensure may provide snacks and meals through the federal Afterschool Meal Program (AMP) administered by the Department of Health in accordance with federal regulations and standards. The Department of Health shall consider meals to be provided through the AMP only if the program is actively participating in the AMP, is in good standing with the department, and the meals meet AMP requirements. Standards, at a minimum, shall allow for a credentialed director to supervise multiple before-school and after-school sites.

(7) SANITATION AND SAFETY.—

(a) Minimum standards shall include requirements for sanitary and safety conditions, first aid treatment, emergency procedures, and pediatric cardiopulmonary resuscitation. The minimum standards shall require that at least one staff person trained in cardiopulmonary resuscitation, as evidenced by current documentation of course completion, must be present at all times that children are present.
Section 12. Subsection (5) of section 402.315, Florida Statutes, is amended to read:

402.315 Funding; license fees.—

(5) All moneys collected by the department for child care licensing shall be held in a trust fund of the department to be reallocated to the department during the following fiscal year to fund child care licensing activities, including the Gold Seal Quality Care program created pursuant to s. 1002.945 and 402.281.

Section 13. Paragraph (a) of subsection (4) of section 402.56, Florida Statutes, is amended to read:

402.56 Children’s cabinet; organization; responsibilities; annual report.—

(4) MEMBERS.—The cabinet shall consist of 16 members including the Governor and the following persons:

(a)1. The Secretary of Children and Families;

2. The Secretary of Juvenile Justice;

3. The director of the Agency for Persons with Disabilities;

4. A representative from the Division of Early Learning;

5. The State Surgeon General;

6. The Secretary of Health Care Administration;

7. The Commissioner of Education;

8. The director of the Statewide Guardian Ad Litem Office;

9. A representative of the Office of Adoption and Child Protection;

10. A superintendent of schools, appointed by the Governor; and

11. Five members who represent children and youth advocacy...
organizations and who are not service providers, appointed by the Governor.

Section 14. Paragraph (e) of subsection (2) of section 411.226, Florida Statutes, is amended to read:

411.226 Learning Gateway.—

(2) LEARNING GATEWAY STEERING COMMITTEE.—

(e) To support and facilitate system improvements, the steering committee must consult with representatives from the Department of Education, the Department of Health, the Office of Early Learning, the Department of Children and Families, the Agency for Health Care Administration, the Department of Juvenile Justice, and the Department of Corrections and with the director of the Learning Development and Evaluation Center of Florida Agricultural and Mechanical University.

Section 15. Paragraph (d) of subsection (1), paragraph (a) of subsection (2), and paragraph (c) of subsection (3) of section 411.227, Florida Statutes, are amended to read:

411.227 Components of the Learning Gateway.—The Learning Gateway system consists of the following components:

(1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED ACCESS.—

(d) In collaboration with other local resources, the demonstration projects shall develop public awareness strategies to disseminate information about developmental milestones, precursors of learning problems and other developmental delays, and the service system that is available. The information should target parents of children from birth through age 9 and should be distributed to parents, health care providers, and caregivers of children from birth through age 9. A variety of media should
be used as appropriate, such as print, television, radio, and a community-based Internet website, as well as opportunities such as those presented by parent visits to physicians for well-child checkups. The Learning Gateway Steering Committee shall provide technical assistance to the local demonstration projects in developing and distributing educational materials and information.

1. Public awareness strategies targeting parents of children from birth through age 5 shall be designed to provide information to public and private preschool programs, child care providers, pediatricians, parents, and local businesses and organizations. These strategies should include information on the school readiness performance standards adopted by the Department of Education Office of Early Learning.

2. Public awareness strategies targeting parents of children from ages 6 through 9 must be designed to disseminate training materials and brochures to parents and public and private school personnel, and must be coordinated with the local school board and the appropriate school advisory committees in the demonstration projects. The materials should contain information on state and district proficiency levels for grades K-3.

(2) SCREENING AND DEVELOPMENTAL MONITORING.—

(a) In coordination with the Office of Early Learning, the Department of Education and the Florida Pediatric Society, and using information learned from the local demonstration projects, the Learning Gateway Steering Committee shall establish guidelines for screening children from birth through age 9. The guidelines should incorporate recent research on the indicators...
most likely to predict early learning problems, mild
developmental delays, child-specific precursors of school
failure, and other related developmental indicators in the
domains of cognition; communication; attention; perception;
behavior; and social, emotional, sensory, and motor functioning.

(3) EARLY EDUCATION, SERVICES AND SUPPORTS.—

(c) The steering committee, in cooperation with the
Department of Children and Families and the Department of
Education, and the Office of Early Learning, shall identify the
elements of an effective research-based curriculum for early
care and education programs.

Section 16. Subsection (1) of section 414.295, Florida
Statutes, is amended to read:

414.295 Temporary cash assistance programs; public records
exemption.—

(1) Personal identifying information of a temporary cash
assistance program participant, a participant’s family, or a
participant’s family or household member, except for information
identifying a parent who does not live in the same home as the
child, which is held by the department, the Office of Early
Learning, CareerSource Florida, Inc., the Department of Health,
the Department of Revenue, the Department of Education, or a
local workforce development board or local committee created
pursuant to s. 445.007 is confidential and exempt from s.
119.07(1) and s. 24(a), Art. I of the State Constitution. Such
confidential and exempt information may be released for purposes
directly connected with:

(a) The administration of the temporary assistance for
needy families plan under Title IV-A of the Social Security Act,
as amended, by the department, the Office of Early Learning, CareerSource Florida, Inc., the Department of Military Affairs, the Department of Health, the Department of Revenue, the Department of Education, a local workforce development board or local committee created pursuant to s. 445.007, or a school district.

(b) The administration of the state’s plan or program approved under Title IV-B, Title IV-D, or Title IV-E of the Social Security Act, as amended, or under Title I, Title X, Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the Social Security Act, as amended.

(c) An investigation, prosecution, or criminal, civil, or administrative proceeding conducted in connection with the administration of any of the plans or programs specified in paragraph (a) or paragraph (b) by a federal, state, or local governmental entity, upon request by that entity, if such request is made pursuant to the proper exercise of that entity’s duties and responsibilities.

(d) The administration of any other state, federal, or federally assisted program that provides assistance or services on the basis of need, in cash or in kind, directly to a participant.

(e) An audit or similar activity, such as a review of expenditure reports or financial review, conducted in connection with the administration of plans or programs specified in paragraph (a) or paragraph (b) by a governmental entity authorized by law to conduct such audit or activity.

(f) The administration of the reemployment assistance program.
(g) The reporting to the appropriate agency or official of information about known or suspected instances of physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child or elderly person receiving assistance, if circumstances indicate that the health or welfare of the child or elderly person is threatened.

(h) The administration of services to elderly persons under ss. 430.601-430.606.

Section 17. Section 1000.01, Florida Statutes, is amended to read:

1000.01 The Florida Early Learning-20 K-20 education system; technical provisions.—

(1) NAME.—Chapters 1000 through 1013 shall be known and cited as the “Florida Early Learning-20 K-20 Education Code.”

(2) LIBERAL CONSTRUCTION.—The provisions of the Florida Early Learning-20 K-20 Education Code shall be liberally construed to the end that its objectives may be effected. It is the legislative intent that if any section, subsection, sentence, clause, or provision of the Florida Early Learning-20 K-20 Education Code is held invalid, the remainder of the code shall not be affected.

(3) PURPOSE.—The purpose of the Florida Early Learning-20 K-20 Education Code is to provide by law for a state system of schools, courses, classes, and educational institutions and services adequate to allow, for all Florida’s students, the opportunity to obtain a high quality education. The Florida Early Learning-20 K-20 education system is established to accomplish this purpose; however, nothing in this code shall be construed to require the provision of free public education.
beyond grade 12.

(4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As required by s. 1, Art. IX of the State Constitution, the Florida Early Learning-20 K-20 education system shall include the uniform system of free public K-12 schools. These public K-12 schools shall provide 13 consecutive years of instruction, beginning with kindergarten, and shall also provide such instruction for students with disabilities, gifted students, limited English proficient students, and students in Department of Juvenile Justice programs as may be required by law. The funds for support and maintenance of the uniform system of free public K-12 schools shall be derived from state, district, federal, and other lawful sources or combinations of sources, including any fees charged nonresidents as provided by law.

Section 18. Subsection (2) of section 1000.02, Florida Statutes, is amended to read:

1000.02 Policy and guiding principles for the Florida Early Learning-20 K-20 education system.—
(2) The guiding principles for Florida’s Early Learning-20 K-20 education system are:
(a) A coordinated, seamless system for early learning through kindergarten through graduate school education.
(b) A system that is student-centered in every facet.
(c) A system that maximizes education access and allows the opportunity for a high quality education for all Floridians.
(d) A system that safeguards equity and supports academic excellence.
(e) A system that provides for local operational flexibility while promoting accountability for student...
achievement and improvement.

Section 19. Section 1000.03, Florida Statutes, is amended to read:

1000.03 Function, mission, and goals of the Florida Early Learning-20 K-20 education system.—

(1) Florida’s Early Learning-20 K-20 education system shall be a decentralized system without excess layers of bureaucracy. Florida’s Early Learning-20 K-20 education system shall maintain a systemwide technology plan based on a common set of data definitions.

(2) (a) The Legislature shall establish education policy, enact education laws, and appropriate and allocate education resources.

(b) With the exception of matters relating to the State University System, the State Board of Education shall oversee the enforcement of all laws and rules, and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

(c) The Board of Governors shall oversee the enforcement of all state university laws and rules and regulations and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

(3) Public education is a cooperative function of the state and local educational authorities. The state retains responsibility for establishing a system of public education through laws, standards, and rules to assure efficient operation of an Early Learning-20 K-20 system of public education and
adequate educational opportunities for all individuals. Local educational authorities have a duty to fully and faithfully comply with state laws, standards, and rules and to efficiently use the resources available to them to assist the state in allowing adequate educational opportunities.

(4) The mission of Florida’s Early Learning-20 K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities, in accordance with the mission statement and accountability requirements of s. 1008.31.

(5) The priorities of Florida’s Early Learning-20 K-20 education system include:

(a) Learning and completion at all levels, including increased high school graduation rate and readiness for postsecondary education without remediation.—All students demonstrate increased learning and completion at all levels, graduate from high school, and are prepared to enter postsecondary education without remediation.

(b) Student performance.—Students demonstrate that they meet the expected academic standards consistently at all levels of their education.

(c) Civic literacy.—Students are prepared to become civically engaged and knowledgeable adults who make positive contributions to their communities.

(d) Alignment of standards and resources.—Academic standards for every level of the Early Learning-20 K-20 education system are aligned, and education financial resources are aligned with student performance expectations at each level.
of the Early Learning-20 K-20 education system.

(e) Educational leadership.—The quality of educational leadership at all levels of Early Learning-20 K-20 education is improved.

(f) Workforce education.—Workforce education is appropriately aligned with the skills required by the new global economy.

(g) Parental, student, family, educational institution, and community involvement.—Parents, students, families, educational institutions, and communities are collaborative partners in education, and each plays an important role in the success of individual students. Therefore, the State of Florida cannot be the guarantor of each individual student’s success. The goals of Florida’s Early Learning-20 K-20 education system are not guarantees that each individual student will succeed or that each individual school will perform at the level indicated in the goals.

(h) Comprehensive Early Learning-20 K-20 career and education planning.—It is essential that Florida’s Early Learning-20 K-20 education system better prepare all students at every level for the transition from school to postsecondary education or work by providing information regarding:

1. Career opportunities, educational requirements associated with each career, educational institutions that prepare students to enter each career, and student financial aid available to pursue postsecondary instruction required to enter each career.

2. How to make informed decisions about the program of study that best addresses the students’ interests and abilities
while preparing them to enter postsecondary education or the workforce.

3. Recommended coursework and programs that prepare students for success in their areas of interest and ability.

This information shall be provided to students and parents through websites, handbooks, manuals, or other regularly provided communications.

Section 20. Section 1000.04, Florida Statutes, is amended to read:

1000.04 Components for the delivery of public education within the Florida Early Learning-20 K-20 education system.—Florida’s Early Learning-20 K-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

(1) EARLY LEARNING.—Early learning includes the Voluntary Prekindergarten Education Program and the school readiness program.

(2) PUBLIC K-12 SCHOOLS.—The public K-12 schools include charter schools and consist of kindergarten classes; elementary, middle, and high school grades and special classes; virtual instruction programs; workforce education; career centers; adult, part-time, and evening schools, courses, or classes, as authorized by law to be operated under the control of district school boards; and lab schools operated under the control of
state universities.

(3)(2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.— Public postsecondary educational institutions include workforce education; Florida College System institutions; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law.

(4)(3) FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The Florida School for the Deaf and the Blind is a component of the delivery of public education within Florida’s Early Learning-20 K-20 education system.

(5)(4) THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual School is a component of the delivery of public education within Florida’s Early Learning-20 K-20 education system.

Section 21. Section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 K-20 Education Code:

(1) “Articulation” is the systematic coordination that provides the means by which students proceed toward their educational objectives in as rapid and student-friendly manner as their circumstances permit, from grade level to grade level, from elementary to middle to high school, to and through postsecondary education, and when transferring from one educational institution or program to another.

(2) “Commissioner” is the Commissioner of Education.

(3) “Florida College System institution” except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida
College System and any branch campuses, centers, or other affiliates of the institution:

(a) Eastern Florida State College, which serves Brevard County.

(b) Broward College, which serves Broward County.

(c) College of Central Florida, which serves Citrus, Levy, and Marion Counties.

(d) Chipola College, which serves Calhoun, Holmes, Jackson, Liberty, and Washington Counties.

(e) Daytona State College, which serves Flagler and Volusia Counties.

(f) Florida SouthWestern State College, which serves Charlotte, Collier, Glades, Hendry, and Lee Counties.

(g) Florida State College at Jacksonville, which serves Duval and Nassau Counties.

(h) The College of the Florida Keys, which serves Monroe County.

(i) Gulf Coast State College, which serves Bay, Franklin, and Gulf Counties.

(j) Hillsborough Community College, which serves Hillsborough County.

(k) Indian River State College, which serves Indian River, Martin, Okeechobee, and St. Lucie Counties.

(l) Florida Gateway College, which serves Baker, Columbia, Dixie, Gilchrist, and Union Counties.

(m) Lake-Sumter State College, which serves Lake and Sumter Counties.

(n) State College of Florida, Manatee-Sarasota, which serves Manatee and Sarasota Counties.
(o) Miami Dade College, which serves Miami-Dade County.
(p) North Florida College, which serves Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
(q) Northwest Florida State College, which serves Okaloosa and Walton Counties.
(r) Palm Beach State College, which serves Palm Beach County.
(s) Pasco-Hernando State College, which serves Hernando and Pasco Counties.
(t) Pensacola State College, which serves Escambia and Santa Rosa Counties.
(u) Polk State College, which serves Polk County.
(v) St. Johns River State College, which serves Clay, Putnam, and St. Johns Counties.
(w) St. Petersburg College, which serves Pinellas County.
(x) Santa Fe College, which serves Alachua and Bradford Counties.
(y) Seminole State College of Florida, which serves Seminole County.
(z) South Florida State College, which serves DeSoto, Hardee, and Highlands Counties.
(aa) Tallahassee Community College, which serves Gadsden, Leon, and Wakulla Counties.
(bb) Valencia College, which serves Orange and Osceola Counties.
(4) “Department” is the Department of Education.
(5) “Parent” is either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a
student in place of the parent.

(6) “State university,” except as otherwise specifically provided, includes the following institutions and any branch campuses, centers, or other affiliates of the institution:

(a) The University of Florida.
(b) The Florida State University.
(c) The Florida Agricultural and Mechanical University.
(d) The University of South Florida.
(e) The Florida Atlantic University.
(f) The University of West Florida.
(g) The University of Central Florida.
(h) The University of North Florida.
(i) The Florida International University.
(j) The Florida Gulf Coast University.
(k) New College of Florida.

(7) “Next Generation Sunshine State Standards” means the state’s public K-12 curricular standards adopted under s. 1003.41.

(8) “Board of Governors” is the Board of Governors of the State University System.
ss. 120.536(1) and 120.54 to implement the provisions of law
conferring duties upon it for the improvement of the state
system of Early Learning-20 K-20 public education except for the
State University System. Except as otherwise provided herein, it
may, as it finds appropriate, delegate its general powers to the
Commissioner of Education or the directors of the divisions of
the department.

(2) The State Board of Education has the following duties:

(e) To adopt and submit to the Governor and Legislature, as
provided in s. 216.023, a coordinated Early Learning-20 K-20
education budget that estimates the expenditure requirements for
the Board of Governors, as provided in s. 1001.706, the State
Board of Education, including the Department of Education and
the Commissioner of Education, and all of the boards,
institutions, agencies, and services under the general
supervision of the Board of Governors, as provided in s.
1001.706, or the State Board of Education for the ensuing fiscal
year. The State Board of Education may not amend the budget
request submitted by the Board of Governors. Any program
recommended by the Board of Governors or the State Board of
Education which will require increases in state funding for more
than 1 year must be presented in a multiyear budget plan.

(s) To establish a detailed procedure for the
implementation and operation of a systemwide K-20 technology
plan that is based on a common set of data definitions.

Section 23. Subsections (8) and (9) of section 1001.03,
Florida Statutes, are amended to read:

1001.03 Specific powers of State Board of Education.—
(8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
shall enforce compliance with law and state board rule by all school districts, early learning coalitions, and public postsecondary educational institutions, except for the State University System, in accordance with the provisions of s. 1008.32.

(9) MANAGEMENT INFORMATION DATABASES.—The State Board of Education, in conjunction with the Board of Governors regarding the State University System, shall continue to collect and maintain, at a minimum, the management information databases for state universities, and all other components of the public Early Learning-20 K-20 education system as such databases existed on June 30, 2002.

Section 24. Subsection (1), paragraphs (g), (k), and (l) of subsection (6), and subsection (8) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(1) The Commissioner of Education is the chief educational officer of the state and the sole custodian of the educational K-20 data warehouse, and is responsible for giving full assistance to the State Board of Education in enforcing compliance with the mission and goals of the Early Learning K-20 education system, except for the State University System.

(6) Additionally, the commissioner has the following general powers and duties:

(g) To submit to the State Board of Education, on or before October 1 of each year, recommendations for a coordinated Early Learning-20 K-20 education budget that estimates the expenditures for the Board of Governors, the State Board of
Education, including the Department of Education and the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the Board of Governors or the State Board of Education for the ensuing fiscal year. Any program recommended to the State Board of Education that will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(k) To prepare, publish, and disseminate user-friendly materials relating to the state’s education system, including the state’s K-12 scholarship programs, the school readiness program, and the Voluntary Prekindergarten Education Program.

(l) To prepare and publish annually reports giving statistics and other useful information pertaining to the state’s K-12 scholarship programs, the school readiness program, and the Voluntary Prekindergarten Education Program.

(8) In the event of an emergency situation, the commissioner may coordinate through the most appropriate means of communication with early learning coalitions, local school districts, Florida College System institutions, and satellite offices of the Division of Blind Services and the Division of Vocational Rehabilitation to assess the need for resources and assistance to enable each school, institution, or satellite office the ability to reopen as soon as possible after considering the health, safety, and welfare of students and clients.

Section 25. Paragraph (b) of subsection (1) and subsection (4) of section 1001.11, Florida Statutes, are amended to read:

1001.11 Commissioner of Education; other duties.—

(1) The Commissioner of Education must independently
perform the following duties:

(b) Serve as the primary source of information to the
Legislature, including the President of the Senate and the
Speaker of the House of Representatives, concerning the State
Board of Education, the Early Learning–20 K–20 education system, and early learning programs.

(4) The commissioner shall develop and implement an
integrated Early Learning–20 K–20 information system for
educational management in accordance with the requirements of
chapter 1008.

Section 26. Section 1001.213, Florida Statutes, is
repealed.

Section 27. Subsection (7) of section 1001.215, Florida Statutes, is amended to read:

1001.215 Just Read, Florida! Office.—There is created in
the Department of Education the Just Read, Florida! Office. The
office is fully accountable to the Commissioner of Education and
shall:

(7) Review, evaluate, and provide technical assistance to
school districts' implementation of the K–12 comprehensive
reading plan required in s. 1011.62(9).

Section 28. Subsection (1) of section 1001.23, Florida Statutes, is amended to read:

1001.23 Specific powers and duties of the Department of
Education.—In addition to all other duties assigned to it by law
or by rule of the State Board of Education, the department
shall:

(1) Adopt the statewide kindergarten screening in
accordance with s. 1002.69.
Section 29. Subsection (3) of section 1001.70, Florida Statutes, is amended to read:

1001.70 Board of Governors of the State University System.—

(3) The Board of Governors, in exercising its authority under the State Constitution and statutes, shall exercise its authority in a manner that supports, promotes, and enhances an Early Learning-20 K-20 education system that provides affordable access to postsecondary educational opportunities for residents of the state to the extent authorized by the State Constitution and state law.

Section 30. Paragraph (b) of subsection (4) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(b) The Board of Governors shall prepare the legislative budget requests for the State University System, including a request for fixed capital outlay, and submit them to the State Board of Education for inclusion in the Early Learning-20 K-20 legislative budget request. The Board of Governors shall provide the state universities with fiscal policy guidelines, formats, and instruction for the development of individual university budget requests.

Section 31. Paragraph (b) of subsection (1) of section 1002.22, Florida Statutes, is amended to read:

1002.22 Education records and reports of K-12 students; rights of parents and students; notification; penalty.—

(1) DEFINITIONS.—As used in this section, the term:

(b) “Institution” means any public school, center, institution, or other entity that is part of Florida’s education
system under s. 1000.04(2), (4), and (5) e. 1000.04(1), (3), and (4).

Section 32. Subsections (3) and (10) of section 1002.32, Florida Statutes, are amended to read:

**1002.32 Developmental research (laboratory) schools.—**

(3) MISSION.—The mission of a lab school shall be the provision of a vehicle for the conduct of research, demonstration, and evaluation regarding management, teaching, and learning. Programs to achieve the mission of a lab school shall embody the goals and standards established pursuant to ss. 1000.03(5) and 1001.23(1) and shall ensure an appropriate education for its students.

(a) Each lab school shall emphasize mathematics, science, computer science, and foreign languages. The primary goal of a lab school is to enhance instruction and research in such specialized subjects by using the resources available on a state university campus, while also providing an education in nonspecialized subjects. Each lab school shall provide sequential elementary and secondary instruction where appropriate. A lab school may not provide instruction at grade levels higher than grade 12 without authorization from the State Board of Education. Each lab school shall develop and implement a school improvement plan pursuant to s. 1003.02(3).

(b) Research, demonstration, and evaluation conducted at a lab school may be generated by the college of education and other colleges within the university with which the school is affiliated.

(c) Research, demonstration, and evaluation conducted at a lab school may be generated by the State Board of Education.
Such research shall respond to the needs of the education community at large, rather than the specific needs of the affiliated college.

(d) Research, demonstration, and evaluation conducted at a lab school may consist of pilot projects to be generated by the affiliated college, the State Board of Education, or the Legislature.

(e) The exceptional education programs offered at a lab school shall be determined by the research and evaluation goals and the availability of students for efficiently sized programs. The fact that a lab school offers an exceptional education program in no way lessens the general responsibility of the local school district to provide exceptional education programs.

(10) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(1) s. 1001.23(2), the following exceptions shall be permitted for lab schools:

(a) The methods and requirements of the following statutes shall be held in abeyance: ss. 316.75; 1001.30; 1001.31; 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362; 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39; 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46; 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48; 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72; 1011.73; and 1011.74.
(b) With the exception of s. 1001.42(18), s. 1001.42 shall be held in abeyance. Reference to district school boards in s. 1001.42(18) shall mean the president of the university or the president’s designee.

Section 33. Paragraph (b) of subsection (10) of section 1002.34, Florida Statutes, is amended to read:

1002.34 Charter technical career centers.—
(10) EXEMPTION FROM STATUTES.—
(b) A center must comply with the Florida Early Learning-20 K-20 Education Code with respect to providing services to students with disabilities.

Section 34. Subsection (1) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—
(1) RESPONSIBILITIES.—The Florida School for the Deaf and the Blind, located in St. Johns County, is a state-supported residential public school for hearing-impaired and visually impaired students in preschool through 12th grade. The school is a component of the delivery of public education within Florida’s Early Learning-20 K-20 education system and shall be funded through the Department of Education. The school shall provide educational programs and support services appropriate to meet the education and related evaluation and counseling needs of hearing-impaired and visually impaired students in the state who meet enrollment criteria. Unless otherwise provided by law, the school shall comply with all laws and rules applicable to state agencies. Education services may be provided on an outreach basis for sensory-impaired children ages 0 through 5 years and to district school boards upon request. Graduates of the Florida
School for the Deaf and the Blind shall be eligible for the William L. Boyd, IV, Effective Access to Student Education Grant Program as provided in s. 1009.89.

Section 35. Paragraph (b) of subsection (4) and subsection (5) of section 1002.53, Florida Statutes, are amended, and paragraph (d) is added to subsection (6), to read:

1002.53 Voluntary Prekindergarten Education Program;

eligibility and enrollment.—

(4)

(b) The application must be submitted on forms prescribed by the department Office of Early Learning and must be accompanied by a certified copy of the child’s birth certificate. The forms must include a certification, in substantially the form provided in s. 1002.71(6)(b)2., that the parent chooses the private prekindergarten provider or public school in accordance with this section and directs that payments for the program be made to the provider or school. The department Office of Early Learning may authorize alternative methods for submitting proof of the child’s age in lieu of a certified copy of the child’s birth certificate.

(5) The early learning coalition shall provide each parent enrolling a child in the Voluntary Prekindergarten Education Program with a profile of every private prekindergarten provider and public school delivering the program within the county where the child is being enrolled. The profiles shall be provided to parents in a format prescribed by the department in accordance with s. 1002.92(3) Office of Early Learning. The profiles must include, at a minimum, the following information about each provider and school:
(a) The provider’s or school’s services, curriculum, instructor credentials, and instructor-to-student ratio; and
(b) The provider’s or school’s kindergarten readiness rate calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening.

(6) Each parent who enrolls his or her child in the Voluntary Prekindergarten Education Program must allow his or her child to participate in the coordinated screening and progress monitoring program under s. 1008.2125.

Section 36. Paragraphs (a), (b), (c), (e), (g), (h), (i), (j), and (l) of subsection (3), subsection (4), and paragraph (b) of subsection (5) of section 1002.55, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(3) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the following requirements:

(a) The private prekindergarten provider must be a child care facility licensed under s. 402.305, family day care home licensed under s. 402.313, large family child care home licensed under s. 402.3131, nonpublic school exempt from licensure under s. 402.3025(2), faith-based child care provider exempt from licensure under s. 402.316, child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, or private prekindergarten provider that
has been issued a provisional license under s. 402.309. A private prekindergarten provider may not deliver the program while holding a probation-status license under s. 402.310.

(b) The private prekindergarten provider must:

1. Be accredited by an accrediting association that is a member of the National Council for Private School Accreditation, or the Florida Association of Academic Nonpublic Schools, or be accredited by the Southern Association of Colleges and Schools, or Western Association of Colleges and Schools, or North Central Association of Colleges and Schools, or Middle States Association of Colleges and Schools, or New England Association of Colleges and Schools; and have written accreditation standards that meet or exceed the state’s licensing requirements under s. 402.305, s. 402.313, or s. 402.3131 and require at least one onsite visit to the provider or school before accreditation is granted;

2. Hold a current Gold Seal Quality Care designation under s. 1002.945 or s. 402.281; or

3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131 and demonstrate, before delivering the Voluntary Prekindergarten Education Program, as verified by the early learning coalition, that the provider meets each of the requirements of the program under this part, including, but not limited to, the requirements for credentials and background screenings of prekindergarten instructors under paragraphs (c) and (d), minimum and maximum class sizes under paragraph (f), prekindergarten director credentials under paragraph (g), and a developmentally appropriate curriculum under s. 1002.67(2)(b).

(c) The private prekindergarten provider must have, for
each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor who meets each of the following requirements:

1. The prekindergarten instructor must hold, at a minimum, one of the following credentials:
   a. A child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition; or
   b. A credential approved by the Department of Children and Families as being equivalent to or greater than the credential described in sub-subparagraph a.

The Department of Children and Families may adopt rules under ss. 120.536(1) and 120.54 which provide criteria and procedures for approving equivalent credentials under sub-subparagraph b.

2. The prekindergarten instructor must successfully complete at least three emergent literacy training courses that include developmentally appropriate and experiential learning practices for children course and a student performance standards training course approved by the department office as meeting or exceeding the minimum standards adopted under s. 1002.59. The requirement for completion of the standards training course shall take effect July 1, 2021, and be recognized as part of the informal early learning career pathway identified by the department under s. 1002.995(1)(b). Such course shall be available online or in person.

(e) A private prekindergarten provider may assign a substitute instructor to temporarily replace a credentialed instructor if the credentialled instructor assigned to a...
1229 prekindergarten class is absent, as long as the substitute 1230 instructor is of good moral character and has been screened 1231 before employment in accordance with level 2 background 1232 screening requirements in chapter 435. The department Office of 1233 Early Learning shall adopt rules to implement this paragraph 1234 which shall include required qualifications of substitute 1235 instructors and the circumstances and time limits for which a 1236 private prekindergarten provider may assign a substitute 1237 instructor.

1238 (g) The private prekindergarten provider must have a 1239 prekindergarten director who has a prekindergarten director 1240 credential that is approved by the department office as meeting 1241 or exceeding the minimum standards adopted under s. 1002.57. A 1242 private school administrator who holds a valid certificate in 1243 educational leadership issued by the department satisfies the 1244 requirement for a prekindergarten director credential under s. 1245 1002.57. Successful completion of a child care facility director 1246 credential under s. 402.305(2)(g) before the establishment of 1247 the prekindergarten director credential under s. 1002.57 or July 1, 2006, whichever occurs later, satisfies the requirement for a 1248 prekindergarten director credential under this paragraph.

1250 (h) The private prekindergarten provider must register with 1251 the early learning coalition on forms prescribed by the 1252 department Office of Early Learning.

1253 (i) The private prekindergarten provider must execute the 1254 statewide provider contract prescribed under s. 1002.73 or 1255 1002.75, except that an individual who owns or operates multiple 1256 private prekindergarten sites providers within a coalition’s 1257 service area may execute a single agreement with the coalition
on behalf of each site provider.

(j) The private prekindergarten provider must maintain general liability insurance and provide the coalition with written evidence of general liability insurance coverage, including coverage for transportation of children if prekindergarten students are transported by the provider. A provider must obtain and retain an insurance policy that provides a minimum of $100,000 of coverage per occurrence and a minimum of $300,000 general aggregate coverage. The department office may authorize lower limits upon request, as appropriate. A provider must add the coalition as a named certificateholder and as an additional insured. A provider must provide the coalition with a minimum of 10 calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider contract with the coalition.

(l) Notwithstanding paragraph (j), for a private prekindergarten provider that is a state agency or a subdivision thereof, as defined in s. 768.28(2), the provider must agree to notify the coalition of any additional liability coverage maintained by the provider in addition to that otherwise established under s. 768.28. The provider shall indemnify the coalition to the extent permitted by s. 768.28. Notwithstanding paragraph (j), for a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the provider may demonstrate liability coverage by affirming that it is subject to the Federal Tort
Claire Act, 28 U.S.C. s. 2671 et seq.

(4) A prekindergarten instructor, in lieu of the minimum credentials and courses required under paragraph (3)(c), may hold one of the following educational credentials:

(a) A bachelor’s or higher degree in early childhood education, prekindergarten or primary education, preschool education, or family and consumer science;

(b) A bachelor’s or higher degree in elementary education, if the prekindergarten instructor has been certified to teach children any age from birth through 6th grade, regardless of whether the instructor’s educator certificate is current, and if the instructor is not ineligible to teach in a public school because his or her educator certificate is suspended or revoked;

(c) An associate’s or higher degree in child development;

(d) An associate’s or higher degree in an unrelated field, at least 6 credit hours in early childhood education or child development, and at least 480 hours of experience in teaching or providing child care services for children any age from birth through 8 years of age; or

(e) An educational credential approved by the department as being equivalent to or greater than an educational credential described in this subsection. The department may adopt criteria and procedures for approving equivalent educational credentials under this paragraph.

(5)

(b) Notwithstanding any other provision of law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule of the Child Care Services Program Office of the Department of Children and Families, the coalition
may refuse to contract with the provider.

(6) Each early learning coalition must verify that each private prekindergarten provider delivering the Voluntary Prekindergarten Education Program within the coalition’s county or multicounty region complies with this part. If a private prekindergarten provider fails or refuses to comply with this part or engages in misconduct, the department shall require the early learning coalition to remove the provider from eligibility to deliver the program and receive state funds under this part for a period of at least 2 years but no more than 5 years.

Section 37. Subsections (1) and (2) of section 1002.57, Florida Statutes, is amended to read:

1002.57 Prekindergarten director credential.—

(1) The department, in consultation with the Department of Children and Families, shall adopt minimum standards for a credential for prekindergarten directors of private prekindergarten providers delivering the Voluntary Prekindergarten Education Program. The credential must encompass requirements for education and onsite experience.

(2) The educational requirements must include training in the following:

(a) Professionally accepted standards for prekindergarten programs, early learning, and strategies and techniques to address the age-appropriate progress of prekindergarten students in attaining the performance standards adopted by the department under s. 1002.67;

(b) Implementation of curriculum and usage of student-level data to inform the delivery of instruction;

(c) Strategies that allow students with disabilities and
other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program; and

(d) Program administration and operations, including management, organizational leadership, and financial and legal issues.

Section 38. Section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.—

(1) The department shall adopt minimum standards for one or more training courses in emergent literacy for prekindergarten instructors. Each course must comprise 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(e), 402.313(6), and 402.3131(5).

(2) The department shall adopt minimum standards for one or more training courses on the performance standards adopted under s. 1002.67(1). Each course must comprise at least 3 clock hours, provide instruction in
strategies and techniques to address age-appropriate progress of each child in attaining the standards, and be available online.

(3) The department shall make available online professional development and training courses comprised of at least 8 clock hours that support prekindergarten instructors in increasing the competency of teacher-child interactions.

Section 39. Present subsections (6) through (8) of section 1002.61, Florida Statutes, are redesignated as subsections (7) through (9), respectively, new subsection (6) and subsection (10) are added to that section, and paragraph (b) of subsection (1), paragraph (b) of subsection (3), subsection (4), and present subsections (6) and (8) are amended, to read:

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

(1) (b) Each early learning coalition shall administer the Voluntary Prekindergarten Education Program at the county or regional level for students enrolled under s. 1002.53(3)(b) in a summer prekindergarten program delivered by a private prekindergarten provider. A child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense may administer the summer prekindergarten program as a private prekindergarten provider.

(3) (b) Each public school delivering the summer prekindergarten program must execute the statewide provider contract prescribed under s. 1002.73 s. 1002.75, except that the school district may execute a single agreement with the early
learning coalition on behalf of all district schools.

(4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4), each public school and private prekindergarten provider must have, for each prekindergarten class, at least one prekindergarten instructor who is a certified teacher or holds one of the educational credentials specified in s. 1002.55(4)(a) or (b). As used in this subsection, the term “certified teacher” means a teacher holding a valid Florida educator certificate under s. 1012.56 who has the qualifications required by the district school board to instruct students in the summer prekindergarten program. In selecting instructional staff for the summer prekindergarten program, each school district shall give priority to teachers who have experience or coursework in early childhood education and have completed emergent literacy and performance standards courses, as defined in s. 1002.55(3)(c)2.

(6) A child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense shall comply with the requirements of a private prekindergarten provider in this section.

(7) A public school or private prekindergarten provider may assign a substitute instructor to temporarily replace a credentialed instructor if the credentialed instructor assigned to a prekindergarten class is absent, as long as the substitute instructor is of good moral character and has been screened before employment in accordance with level 2 background screening requirements in chapter 435. This subsection does not supersede employment requirements for instructional personnel in
public schools which are more stringent than the requirements of this subsection. The department Office of Early Learning shall adopt rules to implement this subsection which shall include required qualifications of substitute instructors and the circumstances and time limits for which a public school or private prekindergarten provider may assign a substitute instructor.

(9) Each public school delivering the summer prekindergarten program must also register with the early learning coalition on forms prescribed by the department Office of Early Learning and deliver the Voluntary Prekindergarten Education Program in accordance with this part.

(10)(a) Each early learning coalition shall verify that each private prekindergarten provider and public school delivering the Voluntary Prekindergarten Education Program within the coalition’s county or multicounty region complies with this part.

(b) If a private prekindergarten provider or public school fails or refuses to comply with this part or engages in misconduct, the department shall require the early learning coalition to remove the provider or school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of at least 2 years but no more than 5 years.

Section 40. Paragraph (b) of subsection (3) and subsections (6) and (8) of section 1002.63, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1002.63 School-year prekindergarten program delivered by public schools.—
(b) Each public school delivering the school-year prekindergarten program must execute the statewide provider contract prescribed under s. 1002.73, except that the school district may execute a single agreement with the early learning coalition on behalf of all district schools.

(6) A public school prekindergarten provider may assign a substitute instructor to temporarily replace a credentialed instructor if the credentialed instructor assigned to a prekindergarten class is absent, as long as the substitute instructor is of good moral character and has been screened before employment in accordance with level 2 background screening requirements in chapter 435. This subsection does not supersede employment requirements for instructional personnel in public schools which are more stringent than the requirements of this subsection. The Office of Early Learning shall adopt rules to implement this subsection which shall include required qualifications of substitute instructors and the circumstances and time limits for which a public school prekindergarten provider may assign a substitute instructor.

(8) Each public school delivering the school-year prekindergarten program must register with the early learning coalition on forms prescribed by the Office of Early Learning and deliver the Voluntary Prekindergarten Education Program in accordance with this part.

(9)(a) Each early learning coalition shall verify that each public school delivering the Voluntary Prekindergarten Education Program within the coalition’s service area complies with this part.
(b) If a public school fails or refuses to comply with this part or engages in misconduct, the department shall require the early learning coalition to remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of at least 2 years but no more than 5 years.

Section 41. Section 1002.67, Florida Statutes, is amended to read:

1002.67 Performance standards and curricula and accountability.—

(1)(a) The department office shall develop and adopt performance standards for students in the Voluntary Prekindergarten Education Program. The performance standards must address the age-appropriate progress of students in the development of:

1. The capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution; and

2. Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development; and

3. Mathematical thinking and early math skills.

By October 1, 2013, the office shall examine the existing performance standards in the area of mathematical thinking and develop a plan to make appropriate professional development and training courses available to prekindergarten instructors.

(b) At least every 3 years, the department office shall periodically review and, if necessary, revise the performance standards established under s. 1002.67 for the statewide
kindergarten screening administered under s. 1002.69 and align
the standards to the standards established by the state board
for student performance on the statewide assessments
administered pursuant to s. 1008.22.

(2)(a) Each private prekindergarten provider and public
school may select or design the curriculum that the provider or
school uses to implement the Voluntary Prekindergarten Education
Program, except as otherwise required for a provider or school
that is placed on probation under s. 1002.68 paragraph (4)(c).

(b) Each private prekindergarten provider’s and public
school’s curriculum must be developmentally appropriate and
must:

1. Be designed to prepare a student for early literacy and
provide for instruction in early math skills;

2. Enhance the age-appropriate progress of students in
attaining the performance standards adopted by the department
under subsection (1); and

3. Support student learning gains through differentiated
instruction that shall be measured by the coordinated screening
and progress monitoring program under s. 1008.2125 Prepare
students to be ready for kindergarten based upon the statewide
kindergarten screening administered under s. 1002.69.

(c) The department office shall adopt procedures for the
review and approval of approve curricula for use by private
prekindergarten providers and public schools that are placed on
probation under s. 1002.68 paragraph (4)(c). The department
office shall administer the review and approval process and
maintain a list of the curricula approved under this paragraph.
Each approved curriculum must meet the requirements of paragraph
(b).

(3)(a) Contingent upon legislative appropriation, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must implement an evidence-based pre- and post-assessment that has been approved by rule of the State Board of Education.

(b) In order to be approved, the assessment must be valid, reliable, developmentally appropriate, and designed to measure student progress on domains which must include, but are not limited to, early literacy, numeracy, and language.

(c) The pre- and post-assessment must be administered by individuals meeting requirements established by rule of the State Board of Education.

(4)(a) Each early learning coalition shall verify that each private prekindergarten provider delivering the Voluntary Prekindergarten Education Program within the coalition’s county or multicounty region complies with this part. Each district school board shall verify that each public school delivering the program within the school district complies with this part.

(b) If a private prekindergarten provider or public school fails or refuses to comply with this part, or if a provider or school engages in misconduct, the office shall require the early learning coalition to remove the provider and require the school district to remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of 5 years.

(c)1. If the kindergarten readiness rate of a private prekindergarten provider or public school falls below the minimum rate adopted by the office as satisfactory under s.
1002.69(6), the early learning coalition or school district, as applicable, shall require the provider or school to submit an improvement plan for approval by the coalition or school district, as applicable, and to implement the plan; shall place the provider or school on probation; and shall require the provider or school to take certain corrective actions, including the use of a curriculum approved by the office under paragraph (2)(c) or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office.

2. A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph 1., including the use of a curriculum or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office, until the provider or school meets the minimum rate adopted by the office as satisfactory under s. 1002.69(6). Failure to implement an approved improvement plan or staff development plan shall result in the termination of the provider’s contract to deliver the Voluntary Prekindergarten Education Program for a period of 5 years.

3. If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum rate adopted by the office as satisfactory under s. 1002.69(6) and is not granted a good cause exemption by the office pursuant to s. 1002.69(7), the office shall require the early learning coalition or the school district to remove, as applicable, the provider or school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive
state funds for the program for a period of 5 years.

(d) Each early learning coalition and the office shall coordinate with the Child Care Services Program Office of the Department of Children and Families to minimize interagency duplication of activities for monitoring private prekindergarten providers for compliance with requirements of the Voluntary Prekindergarten Education Program under this part, the school readiness program under part VI of this chapter, and the licensing of providers under ss. 402.301-402.319.

Section 42. Section 1002.68, Florida Statutes, is created to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(1) (a) Beginning with the 2021-2022 program year, each private prekindergarten provider and public school participating in the Voluntary Prekindergarten Education Program must participate in the coordinated screening and progress monitoring program in accordance with s. 1008.2125. The coordinated screening and progress monitoring program results shall be used by the department to identify student learning gains, index development learning outcomes upon program completion relative to the performance standards established under s. 1002.67 and representative norms, and inform a private prekindergarten provider’s and public school’s performance metric.

(b) At a minimum, the initial and final progress monitoring or screening must be administered by individuals meeting requirements adopted by the department pursuant to s. 1008.2125.

(c) Each private prekindergarten provider and public school must provide a student’s performance results from the
coordinated screening and progress monitoring to the student’s parents within 7 days after the administration of such coordinated screening and progress monitoring.

(2) Beginning with the 2020-2021 program year, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must participate in a program assessment of each voluntary prekindergarten education classroom. The program assessment shall measure the quality of teacher-child interactions, including emotional support, classroom organization, and instructional support for children ages 3 to 5 years. Each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program shall receive from the department the results of the program assessment for each classroom within 14 days after the observation. The program assessment must be administered by individuals who meet requirements established by rule of the State Board of Education.

(3)(a) For the 2019-2020 program year, the department shall calculate a kindergarten readiness rate for each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program based upon learning gains and the percentage of students who are assessed as ready for kindergarten. The department shall require that each school district administer the statewide kindergarten screening in use before the 2020-2021 school year to each kindergarten student in the school district within the first 30 school days of the 2020-2021 school year. Private schools may administer the statewide kindergarten screening to each kindergarten student in a private school who was enrolled in the Voluntary Prekindergarten Education Program.
Education Program. Learning gains shall be determined using a value-added measure based on growth demonstrated by the results of the preassessment and postassessment in use before the 2020-2021 program year. Any private prekindergarten provider or public school in the Voluntary Prekindergarten Education Program which fails to meet the minimum kindergarten readiness rate for the 2019-2020 program year is subject to the probation requirements of subsection (5).

(b) For the 2020-2021 program year, the department shall calculate a program assessment composite score for each provider based on the program assessment under subsection (2). Any private prekindergarten provider or public school in the Voluntary Prekindergarten Education Program which fails to meet the minimum program assessment composite score established by the department pursuant to s. 1002.82(2)(n) for the 2020-2021 program year is subject to the probation requirements of subsection (5).

(4)(a) Beginning with the 2021-2022 program year, the department shall adopt a methodology for calculating each private prekindergarten provider’s and public school provider’s performance metric, which must be based on a combination of the following:

1. Program assessment composite scores under subsection (2), which must be weighted at no less than 50 percent.

2. Learning gains operationalized as change in ability scores from the initial and final progress monitoring results described in subsection (1).

3. Norm-referenced developmental learning outcomes described in subsection (1).
(b) The methodology for calculating a provider’s performance metric may only include prekindergarten students who have attended at least 85 percent of a private prekindergarten provider’s or public school’s program.

(c) The program assessment composite score and performance metric must be calculated for each private prekindergarten or public school site.

(d) The methodology shall include a statistical latent profile analysis that has been conducted by an independent expert with experience in relevant quantitative analysis, early childhood assessment, and designing state-level accountability systems. The independent expert shall be able to produce a limited number of performance metric profiles that summarize the profiles of all sites that must be used to inform the following designations: “unsatisfactory,” “emerging proficiency,” “proficient,” “highly proficient,” and “excellent” or comparable terminology determined by the State Board of Education which may not include letter grades. The independent expert may not be a direct stakeholder or have had a financial interest in the design or delivery of the Voluntary Prekindergarten Education Program or public school system within the last 5 years.

(e) Subject to an appropriation, the department shall provide for a differential payment to a private prekindergarten provider and public school based on the provider’s designation. The maximum differential payment may not exceed a total of 15 percent of the base student allocation per full-time equivalent student under s. 1002.71 attending in the consecutive program year for that program. A private prekindergarten provider or public school may not receive a differential payment if it
receives a designation of “proficient” or lower. Before the adoption of the methodology, the department and the independent expert shall confer with the Early Grade Success Advisory Committee under s. 1008.2125 before receiving approval from the State Board of Education for the final recommendations on the designation system and differential payments.

(f) The department shall adopt procedures to annually calculate each private prekindergarten provider’s and public school’s performance metric, based on the methodology adopted in paragraphs (a) and (b), and assign a designation under paragraph (d). Beginning with the 2022-2023 program year, each private prekindergarten provider or public school shall be assigned a designation within 45 days after the conclusion of the school-year Voluntary Prekindergarten Education Program delivered by all participating private prekindergarten providers or public schools and within 45 days after the conclusion of the summer Voluntary Prekindergarten Education Program delivered by all participating private prekindergarten providers or public schools.

(g) A private prekindergarten provider or public school that is designated “proficient,” “highly proficient,” or “excellent” demonstrates the provider’s or school’s satisfactory delivery of the Voluntary Prekindergarten Education Program.

(h) The designations shall be displayed in the early learning provider performance profiles required under s. 1002.92(3).

(5)(a) If a public school’s or private prekindergarten provider’s program assessment composite score for its prekindergarten classrooms fails to meet the minimum program
assessment composite score for contracting established by the department pursuant to s. 1002.82(2)(n), the private prekindergarten provider or public school may not participate in the Voluntary Prekindergarten Education Program beginning in the consecutive program year and thereafter until the public school or private prekindergarten provider meets the minimum composite score for contracting.

(b) If a private prekindergarten provider’s or public school’s performance metric or designation falls below the minimum performance metric or designation, the early learning coalition shall:

1. Require the provider or school to submit for approval to the early learning coalition an improvement plan and implement the plan.

2. Place the provider or school on probation.

3. Require the provider or school to take certain corrective actions, including the use of a curriculum approved by the department under s. 1002.67(2)(c) and a staff development plan approved by the department to strengthen instructional practices in emotional support, classroom organization, instructional support, language development, phonological awareness, alphabet knowledge, and mathematical thinking.

(c) A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under paragraph (b) until the provider or school meets the minimum performance metric or designation adopted by the department. Failure to meet the requirements of subparagraphs (b)1. and 3. shall result in the termination of the provider’s or school’s contract to deliver the Voluntary Prekindergarten
Education Program for a period of at least 2 years but no more than 5 years.

(d) If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum performance metric or designation, or is not granted a good cause exemption by the department, the department shall require the early learning coalition to revoke the provider’s or school’s eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program for a period of at least 2 years but no more than 5 years.

(6)(a) The department, upon the request of a private prekindergarten provider or public school that remains on probation for at least 2 consecutive years and subsequently fails to meet the minimum performance metric or designation, and for good cause shown, may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program. Such exemption is valid for 1 year and, upon the request of the private prekindergarten provider or public school and for good cause shown, may be renewed.

(b) A private prekindergarten provider’s or public school’s request for a good cause exemption, or renewal of such an exemption, must be submitted to the department in the manner and within the timeframes prescribed by the department and must include the following:

1. Data from the private prekindergarten provider or public school which documents the achievement and progress of the children served, as measured by any required screenings or assessments.
2. Data from the program assessment required under subsection (2) which demonstrates effective teaching practices as recognized by the tool developer.

3. Data from the early learning coalition or district school board, as applicable, the Department of Children and Families, the local licensing authority, or an accrediting association, as applicable, relating to the private prekindergarten provider’s or public school’s compliance with state and local health and safety standards.

(c) The department shall adopt criteria for granting good cause exemptions. Such criteria must include, but are not limited to, all of the following:

1. Child demographic data that evidences a private prekindergarten provider or public school serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the students’ individual education plans.

2. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school on an alternative measure that has comparable validity and reliability of the coordinated screening and progress monitoring program in accordance with s. 1008.2125.

3. Program assessment data under subsection (2) which demonstrates effective teaching practices as recognized by the tool developer.

4. Verification that local and state health and safety requirements are met.

(d) A good cause exemption may not be granted to any
private prekindergarten provider or public school that has any
class I violations or two or more class II violations, as
defined by rule of the Department of Children and Families,
within the 2 years preceding the provider’s or school’s request
for the exemption.
(e) A private prekindergarten provider or public school
granted a good cause exemption shall continue to implement its
improvement plan and continue the corrective actions required
under subsection (5)(b) until the provider or school meets the
minimum performance metric.
(f) If a good cause exemption is granted to a private
prekindergarten provider or public school that remains on
probation for 2 consecutive years and if the provider meets all
other applicable requirements of this part, the department shall
notify the early learning coalition of the good cause exemption
and direct that the early learning coalition not remove the
provider from eligibility to deliver the Voluntary
Prekindergarten Education Program or to receive state funds for
the program.
(g) The department shall report the number of private
prekindergarten providers or public schools that have received a
good cause exemption and the reasons for the exemptions as part
of its annual reporting requirements under s. 1002.82(6).
(7) Representatives from each school district and
corresponding early learning coalitions must meet annually to
develop strategies to transition students from the Voluntary
Prekindergarten Education Program to kindergarten.
    Section 43. Section 1002.69, Florida Statutes, is repealed.
    Section 44. Paragraph (c) of subsection (3), subsection
(4), paragraph (b) of subsection (5), paragraphs (b) and (d) of subsection (6), and subsection (7) of section 1002.71, Florida Statutes, are amended to read:

1002.71 Funding; financial and attendance reporting.—
(3)
(c) The initial allocation shall be based on estimated student enrollment in each coalition service area. The Office of Early Learning shall reallocate funds among the coalitions based on actual full-time equivalent student enrollment in each coalition service area. Each coalition shall report student enrollment pursuant to subsection (2) on a monthly basis. A student enrollment count for the prior fiscal year may not be amended after September 30 of the subsequent fiscal year.

(4) Notwithstanding s. 1002.53(3) and subsection (2):
(a) A child who, for any of the prekindergarten programs listed in s. 1002.53(3), has not completed more than 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66, may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause shall be issued in accordance with the department’s Office of Early Learning’s uniform attendance policy adopted pursuant to paragraph (6)(d).
(b) A child who has not substantially completed any of the prekindergarten programs listed in s. 1002.53(3) may withdraw...
from the program due to an extreme hardship that is beyond the
child’s or parent’s control, reenroll in one of the summer
programs, and be reported for funding purposes as a full-time
equivalent student in the summer program for which the child is
reenrolled.

A child may reenroll only once in a prekindergarten program
under this section. A child who reenrolls in a prekindergarten
program under this subsection may not subsequently withdraw from
the program and reenroll, unless the child is granted a good
cause exemption under this subsection. The department Office of
Early Learning shall establish criteria specifying whether a
good cause exists for a child to withdraw from a program under
paragraph (a), whether a child has substantially completed a
program under paragraph (b), and whether an extreme hardship
exists which is beyond the child’s or parent’s control under
paragraph (b).

(5)

(b) The department Office of Early Learning shall adopt
procedures for the payment of private prekindergarten providers
and public schools delivering the Voluntary Prekindergarten
Education Program. The procedures shall provide for the advance
payment of providers and schools based upon student enrollment
in the program, the certification of student attendance, and the
reconciliation of advance payments in accordance with the
uniform attendance policy adopted under paragraph (6)(d). The
procedures shall provide for the monthly distribution of funds
by the department Office of Early Learning to the early learning
ccoalitions for payment by the coalitions to private
prekindergarten providers and public schools.

(b) 1. Each private prekindergarten provider’s and district school board’s attendance policy must require the parent of each student in the Voluntary Prekindergarten Education Program to verify, each month, the student’s attendance on the prior month’s certified student attendance.

2. The parent must submit the verification of the student’s attendance to the private prekindergarten provider or public school on forms prescribed by the Office of Early Learning. The forms must include, in addition to the verification of the student’s attendance, a certification, in substantially the following form, that the parent continues to choose the private prekindergarten provider or public school in accordance with s. 1002.53 and directs that payments for the program be made to the provider or school:

VERIFICATION OF STUDENT’S ATTENDANCE
AND CERTIFICATION OF PARENTAL CHOICE

I, ...(Name of Parent)..., swear (or affirm) that my child, ...(Name of Student)..., attended the Voluntary Prekindergarten Education Program on the days listed above and certify that I continue to choose ...(Name of Provider or School) ... to deliver the program for my child and direct that program funds be paid to the provider or school for my child.

...(Signature of Parent)...
...(Date)...

3. The private prekindergarten provider or public school must keep each original signed form for at least 2 years. Each private prekindergarten provider must permit the early learning
coalition, and each public school must permit the school district, to inspect the original signed forms during normal business hours. The Office of Early Learning shall adopt procedures for early learning coalitions and school districts to review the original signed forms against the certified student attendance. The review procedures shall provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition and the school districts must comply with the review procedures.

(d) The Office of Early Learning shall adopt, for funding purposes, a uniform attendance policy for the Voluntary Prekindergarten Education Program. The attendance policy must apply statewide and apply equally to all private prekindergarten providers and public schools. The attendance policy must include at least the following provisions:

1. A student’s attendance may be reported on a pro rata basis as a fractional part of a full-time equivalent student.

2. At a maximum, 20 percent of the total payment made on behalf of a student to a private prekindergarten provider or a public school may be for hours a student is absent.

3. A private prekindergarten provider or public school may not receive payment for absences that occur before a student’s first day of attendance or after a student’s last day of attendance.

The uniform attendance policy shall be used only for funding purposes and does not prohibit a private prekindergarten provider or public school from adopting and enforcing its
attendance policy under paragraphs (a) and (c).

(7) The department Office of Early Learning shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the Voluntary Prekindergarten Education Program. Administrative policies and procedures shall be revised, to the maximum extent practicable, to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. A school district may use its automated daily attendance reporting system for the purpose of transmitting attendance records to the early learning coalition in a mutually agreed-upon format. In addition, actions shall be taken to reduce paperwork, eliminate the duplication of reports, and eliminate other duplicative activities. Each early learning coalition may retain and expend no more than 4.0 percent of the funds paid by the coalition to private prekindergarten providers and public schools under paragraph (5)(b). Funds retained by an early learning coalition under this subsection may be used only for administering the Voluntary Prekindergarten Education Program and may not be used for the school readiness program or other programs.

Section 45. Subsection (1) of section 1002.72, Florida Statutes, is amended to read:

1002.72 Records of children in the Voluntary Prekindergarten Education Program.—

(1)(a) The records of a child enrolled in the Voluntary Prekindergarten Education Program held by an early learning coalition, the department Office of Early Learning, or a
Voluntary Prekindergarten Education Program provider are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this section, such records include assessment data, health data, records of teacher observations, and personal identifying information of an enrolled child and his or her parent.

(b) This exemption applies to the records of a child enrolled in the Voluntary Prekindergarten Education Program held by an early learning coalition, the department Office of Early Learning, or a Voluntary Prekindergarten Education Program provider before, on, or after the effective date of this exemption.

Section 46. Section 1002.73, Florida Statutes, is amended to read:

1002.73 Department of Education; powers and duties; accountability requirements.—

(1) The department shall adopt by rule a standard statewide provider contract to be used with each Voluntary Prekindergarten Education Program provider, with standardized attachments by provider type. The department shall publish a copy of the standard statewide provider contract on its website. The standard statewide provider contract shall include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of children. The standard statewide provider contract shall also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services. Any
provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable administer the accountability requirements of the Voluntary Prekindergarten Education Program at the state level.

(2) The department shall adopt procedures for its:

(a) The approval of prekindergarten director credentials under ss. 1002.55 and 1002.57.

(b) The approval of emergent literacy and early mathematics skills training courses under ss. 1002.55 and 1002.59.

(c) Annually notifying private prekindergarten providers and public schools placed on probation for not meeting the minimum performance metric as required by s. 1002.68 of the high-quality professional development opportunities developed or supported by the department.

(d) The administration of the Voluntary Prekindergarten Education Program by the early learning coalitions, including, but not limited to, procedures for:

1. Enrolling children in and determining the eligibility of children for the Voluntary Prekindergarten Education Program under s. 1002.53, which shall include the enrollment of children by public schools and private providers that meet specified requirements.

2. Providing parents with profiles of private prekindergarten providers and public schools under s. 1002.53.

3. Registering private prekindergarten providers and public schools to deliver the program under ss. 1002.55, 1002.61, and 1002.63.

4. Determining the eligibility of private prekindergarten providers to deliver the program under ss. 1002.55 and 1002.61
and streamlining the process of determining provider eligibility whenever possible.

5. Verifying the compliance of private prekindergarten providers and public schools and removing providers or schools from eligibility to deliver the program due to noncompliance or misconduct as provided in s. 1002.67.

6. Paying private prekindergarten providers and public schools under s. 1002.71.

7. Documenting and certifying student enrollment and student attendance under s. 1002.71.

8. Reconciling advance payments in accordance with the uniform attendance policy under s. 1002.71.

9. Reenrolling students dismissed by a private prekindergarten provider or public school for noncompliance with the provider’s or school district’s attendance policy under s. 1002.71.

(3) The department shall administer the accountability requirements of the Voluntary Prekindergarten Education Program at the state level.

(4) The department shall adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions for:

(a) Approving improvement plans of private prekindergarten providers and public schools under s. 1002.68.

(b) Placing private prekindergarten providers and public schools on probation and requiring corrective actions under s. 1002.68.

(c) Removing a private prekindergarten provider or public school from eligibility to deliver the program due to the
provider’s or school’s remaining on probation beyond the time permitted under s. 1002.68. Notwithstanding any other law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule of the Child Care Services Program Office of the Department of Children and Families, the coalition may refuse to contract with the provider or revoke the provider’s eligibility to deliver the Voluntary Prekindergarten Education Program.

(d) Enrolling children in and determining the eligibility of children for the Voluntary Prekindergarten Education Program under s. 1002.66.

(e) Paying specialized instructional services providers under s. 1002.66.

(f) Approving of specialized instructional services providers under s. 1002.66.

(g) Granting of a private prekindergarten provider’s or public school’s request for a good cause exemption under s.
1002.68 s. 1002.69(7).

(5) The department shall adopt procedures for the
distribution of funds to early learning coalitions under s.
1002.71.

(6) Except as provided by law, the department may not
impose requirements on a private prekindergarten provider or
public school that does not deliver the Voluntary
Prekindergarten Education Program or receive state funds under
this part.

Section 47. Sections 1002.75 and 1002.77, Florida Statutes,
are repealed.

Section 48. Section 1002.79, Florida Statutes, is amended
to read:

1002.79 Rulemaking authority.—The State Board of Education
Office of Early Learning shall adopt rules under ss. 120.536(1)
and 120.54 to administer the provisions of this part conferring
duties upon the department office.

Section 49. Section 1002.81, Florida Statutes, is reordered
amended to read:

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

(1) “At-risk child” means:

(a) A child from a family under investigation by the
Department of Children and Families or a designated sheriff’s
office for child abuse, neglect, abandonment, or exploitation.

(b) A child who is in a diversion program provided by the
Department of Children and Families or its contracted provider
and who is from a family that is actively participating and
complying in department-prescribed activities, including
(c) A child from a family that is under supervision by the Department of Children and Families or a contracted service provider for abuse, neglect, abandonment, or exploitation.

(d) A child placed in court-ordered, long-term custody or under the guardianship of a relative or nonrelative after termination of supervision by the Department of Children and Families or its contracted provider.

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

(f) A child in the custody of a parent who is considered homeless as verified by a Department of Children and Families certified homeless shelter.

(2) “Authorized hours of care” means the hours of care that are necessary to provide protection, maintain employment, or complete work activities or eligible educational activities, including reasonable travel time.

(12)(3) “Prevailing Average market rate” means the biennially determined 75th percentile of a reasonable frequency distribution average of the market rate by program care level and provider type in a predetermined geographic market at which child care providers charge a person for child care services.

(3)(4) “Direct enhancement services” means services for families and children that are in addition to payments for the placement of children in the school readiness program. Direct enhancement services for families and children may include supports for providers, parent training and involvement activities, and strategies to meet the needs of unique
populations and local eligibility priorities. Direct enhancement services offered by an early learning coalition shall be consistent with the activities prescribed in s. 1002.89(5)(b) and s. 1002.89(6)(b).

(4) "Disenrollment" means the removal, either temporary or permanent, of a child from participation in the school readiness program. Removal of a child from the school readiness program may be based on the following events: a reduction in available school readiness program funding, participant’s failure to meet eligibility or program participation requirements, fraud, or a change in local service priorities.

(5) "Earned income" means gross remuneration derived from work, professional service, or self-employment. The term includes commissions, bonuses, back pay awards, and the cash value of all remuneration paid in a medium other than cash.

(6) "Economically disadvantaged" means having a family income that does not exceed 150 percent of the federal poverty level and includes being a child of a working migratory family as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural worker who is employed by more than one agricultural employer during the course of a year, and whose income varies according to weather conditions and market stability.

(7) "Family income" means the combined gross income, whether earned or unearned, that is derived from any source by all family or household members who are 18 years of age or older who are currently residing together in the same dwelling unit. The term does not include income earned by a currently enrolled high school student who, since attaining the age of 18 years, or a student with a disability who, since attaining the age of 22
years, has not terminated school enrollment or received a high school diploma, high school equivalency diploma, special diploma, or certificate of high school completion. The term also does not include food stamp benefits or federal housing assistance payments issued directly to a landlord or the associated utilities expenses.

(8) “Family or household members” means spouses, former spouses, persons related by blood or marriage, persons who are parents of a child in common regardless of whether they have been married, and other persons who are currently residing together in the same dwelling unit as if a family.

(9) “Full-time care” means at least 6 hours, but not more than 11 hours, of child care or early childhood education services within a 24-hour period.

(10) “Market rate” means the price that a child care or early childhood education provider charges for full-time or part-time daily, weekly, or monthly child care or early childhood education services.

(11) “Office” means the Office of Early Learning of the Department of Education.

(12) “Part-time care” means less than 6 hours of child care or early childhood education services within a 24-hour period.

(13) “Single point of entry” means an integrated information system that allows a parent to enroll his or her child in the school readiness program or the Voluntary Prekindergarten Education Program at various locations throughout a county, that may allow a parent to enroll his or her child by telephone or through a website, and that uses a
uniform waiting list to track eligible children waiting for
enrollment in the school readiness program.

(14) (15) “Unearned income” means income other than earned
income. The term includes, but is not limited to:
(a) Documented alimony and child support received.
(b) Social security benefits.
(c) Supplemental security income benefits.
(d) Workers’ compensation benefits.
(e) Reemployment assistance or unemployment compensation
benefits.
(f) Veterans’ benefits.
(g) Retirement benefits.
(h) Temporary cash assistance under chapter 414.

(15) (16) “Working family” means:
(a) A single-parent family in which the parent with whom
the child resides is employed or engaged in eligible work or
education activities for at least 20 hours per week;
(b) A two-parent family in which both parents with whom the
child resides are employed or engaged in eligible work or
education activities for a combined total of at least 40 hours
per week; or
(c) A two-parent family in which one of the parents with
whom the child resides is exempt from work requirements due to
age or disability, as determined and documented by a physician
licensed under chapter 458 or chapter 459, and one parent is
employed or engaged in eligible work or education activities at
least 20 hours per week.

Section 50. Section 1002.82, Florida Statutes, is amended
to read:
1002.82 Department of Education Office of Early Learning; powers and duties.—

(1) For purposes of administration of the Child Care and Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts 98 and 99, the Department of Education Office of Early Learning is designated as the lead agency and must comply with lead agency responsibilities pursuant to federal law. The department office may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any provision of ss. 411.223 and 1003.54 if the waiver is necessary for implementation of the school readiness program. Section 125.901(2)(a)3. does not apply to the school readiness program.

(2) The department office shall:

(a) Focus on improving the educational quality delivered by all providers participating in the school readiness program.

(b) Preserve parental choice by permitting parents to choose from a variety of child care categories, including center-based care, family child care, and informal child care to the extent authorized in the state’s Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18. Care and curriculum by a faith-based provider may not be limited or excluded in any of these categories.

(c) Be responsible for the prudent use of all public and private funds in accordance with all legal and contractual requirements, safeguarding the effective use of federal, state, and local resources to achieve the highest practicable level of school readiness for the children described in s. 1002.87, including:
1. The adoption of a uniform chart of accounts for budgeting and financial reporting purposes that provides standardized definitions for expenditures and reporting, consistent with the requirements of 45 C.F.R. part 98 and s. 1002.89 for each of the following categories of expenditure:
   a. Direct services to children.
   b. Administrative costs.
   c. Quality activities.
   d. Nondirect services.

2. Coordination with other state and federal agencies to perform data matches on children participating in the school readiness program and their families in order to verify the children’s eligibility pursuant to s. 1002.87.
   (d) Establish procedures for the biennial calculation of the prevailing average market rate.
   (e) Review each early learning coalition’s school readiness program plan every 2 years and provide final approval of the plan and any amendments submitted.
   (f) Establish a unified approach to the state’s efforts to coordinate a comprehensive early learning program. In support of this effort, the department office:
      1. Shall adopt specific program support services that address the state’s school readiness program, including:
         a. Statewide data information program requirements that include:
            (I) Eligibility requirements.
            (II) Financial reports.
            (III) Program accountability measures.
            (IV) Child progress reports.
b. Child care resource and referral services.
c. A single point of entry and uniform waiting list.

2. May provide technical assistance and guidance on additional support services to complement the school readiness program, including:
   a. Rating and improvement systems.
      a. Warm-Line services.
      b. Anti-fraud plans.
   d. School readiness program standards.
   e. Child screening and assessments.
   c. Training and support for parental involvement in children’s early education.
   d. Family literacy activities and services.
   (g) Provide technical assistance to early learning coalitions.

   (h) In cooperation with the early learning coalitions, coordinate with the Child Care Services Program Office of the Department of Children and Families to reduce paperwork and to avoid duplicating interagency activities, health and safety monitoring, and acquiring and composing data pertaining to child care training and credentialing.

   (i) Enter into a memorandum of understanding with local licensing agencies and the Child Care Services Program Office of the Department of Children and Families for inspections of school readiness program providers to monitor and verify compliance with s. 1002.88 and the health and safety checklist adopted by the department office. The provider contract of a school readiness program provider that refuses permission for entry or inspection shall be terminated. The health and safety
checklist may not exceed the requirements of s. 402.305 and the Child Care and Development Fund pursuant to 45 C.F.R. part 98. A child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense is exempted from the inspection requirements under s. 1002.88.

(j) Monitor the alignment and consistency of the development and adopt standards and benchmarks developed and adopted by the department that address the age-appropriate progress of children in the development of school readiness skills. The standards for children from birth to 5 years of age in the school readiness program must be aligned with the performance standards adopted for children in the Voluntary Prekindergarten Education Program and must address the following domains:

1. Approaches to learning.
2. Cognitive development and general knowledge.
3. Numeracy, language, and communication.
4. Physical development.
5. Self-regulation.

(k) Identify observation-based child assessments that are valid, reliable, and developmentally appropriate for use at least three times a year. The assessments must:

1. Provide interval level and norm-referenced criterion-referenced data that measures equivalent levels of growth across the core domains of early childhood development and that can be used for determining developmentally appropriate learning gains.
2. Measure progress in the performance standards adopted pursuant to paragraph (j).
3. Provide for appropriate accommodations for children with
disabilities and English language learners and be administered by qualified individuals, consistent with the developer’s instructions.

4. Coordinate with the performance standards adopted by the department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program.

5. Provide data in a format for use in the single statewide information system to meet the requirements of paragraph (g) (p).

(l) Adopt a list of approved curricula that meet the performance standards for the school readiness program and establish a process for the review and approval of a provider’s curriculum that meets the performance standards.

(m) Provide technical support to an early learning coalition to facilitate the use of a standard statewide provider contract to be used with each school readiness program provider, with standardized attachments by provider type. The department office shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract shall include, at a minimum, contracted slots, if applicable, in accordance with the Child Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98 and 99; quality improvement strategies, if applicable; program assessment requirements; and provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of the children. The standard statewide provider contract shall also include appropriate due process procedures. During the pendency...
of an appeal of a termination, the provider may not continue to offer its services. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable. Provisions for termination for cause must also include failure to meet the minimum quality measures established under paragraph (n) for a period of up to 5 years, unless the coalition determines that the provider is essential to meeting capacity needs based on the assessment under s. 1002.85(2)(j) and the provider has an active improvement plan pursuant to paragraph (n).

(n) Adopt a program assessment for school readiness program providers that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages birth to 5 years. The implementation of the program assessment must also include the following components adopted by rule of the State Board of Education:

1. Quality measures, including a minimum program assessment composite score threshold for contracting purposes and program improvement through an improvement plan. The minimum program assessment composite score required for the Voluntary Prekindergarten Education Program contracting threshold must be the same as the minimum program assessment composite score required for contracting for the school readiness program. The methodology for the calculation of the minimum program assessment composite score shall be reviewed by the independent expert identified in s. 1002.68(4)(d).

2. Requirements for program participation, frequency of
program assessment, and exemptions.

(o) No later than July 1, 2019, develop a differential payment program based on the quality measures adopted by the department office under paragraph (n). The differential payment may not exceed a total of 15 percent for each care level and unit of child care for a child care provider. No more than 5 percent of the 15 percent total differential may be provided to providers who submit valid and reliable data to the statewide information system in the domains of language and executive functioning using a child assessment identified pursuant to paragraph (k). Providers below the minimum program assessment score adopted threshold for contracting purposes are ineligible for such payment.

(p) No later than July 1, 2021, develop and adopt requirements for the implementation of a program designed to make available contracted slots to serve children at the greatest risk of school failure as determined by such children being located in an area that has been designated as a poverty area tract according to the latest census data. The contracted slot program may also be used to increase the availability of child care capacity based on the assessment under s. 1002.85(2)(j).

(q) Establish a single statewide information system that each coalition must use for the purposes of managing the single point of entry, tracking children’s progress, coordinating services among stakeholders, determining eligibility of children, tracking child attendance, and streamlining administrative processes for providers and early learning coalitions. By July 1, 2019, the system, subject to ss. 1002.72
and 1002.97, shall:

1. Allow a parent to monitor the development of his or her child as the child moves among programs within the state.

2. Enable analysis at the state, regional, and local level to measure child growth over time, program impact, and quality improvement and investment decisions.

   (r) Provide technical support to coalitions to facilitate the use of standardized procedures adopted in state board rule for early learning coalitions to use when monitoring the compliance of school readiness program providers with the terms of the standard statewide provider contract.

   (s) At least biennially, provide fiscal and programmatic monitoring to evaluate the performance of each early learning coalition in administering the school readiness program, ensuring proper payments for school readiness program services, implementing the coalition’s school readiness program plan, and administering the Voluntary Prekindergarten Education Program. These monitoring and performance evaluations must include, at a minimum, onsite monitoring of each coalition’s finances, management, operations, and programs.

   (t) Work in conjunction with the Bureau of Federal Education Programs within the Department of Education to coordinate readiness and voluntary prekindergarten services to the populations served by the bureau.

   (u) Administer a statewide toll-free Warm-Line to provide assistance and consultation to child care facilities and family day care homes regarding health, developmental, disability, and special needs issues of the children they are
serving, particularly children with disabilities and other special needs. The **department office** shall:

1. Annually inform child care facilities and family day care homes of the availability of this service through the child care resource and referral network under s. 1002.92.

2. Expand or contract for the expansion of the Warm-Line to maintain at least one Warm-Line in each early learning coalition service area.

(v) Develop and implement strategies to increase the supply and improve the quality of child care services for infants and toddlers, children with disabilities, children who receive care during nontraditional hours, children in underserved areas, and children in areas that have significant concentrations of poverty and unemployment.

(w) Establish preservice and inservice training requirements that address, at a minimum, school readiness child development standards, health and safety requirements, and social-emotional behavior intervention models, which may include positive behavior intervention and support models, including the integration of early learning professional development pathways established in s. 1002.995.

(x) Establish standards for emergency preparedness plans for school readiness program providers.

(y) Establish group sizes.

(z) Establish staff-to-children ratios that do not exceed the requirements of s. 402.302(8) or (11) or s. 402.305(4), as applicable, for school readiness program providers.

(aa) Establish eligibility criteria, including...
limitations based on income and family assets, in accordance
with s. 1002.87 and federal law.

(3)(a) The department shall adopt performance standards and
outcome measures for early learning coalitions that, at a
minimum, include the development of objective customer service
surveys that shall be deployed to:

1. Customers who use the services in s. 1002.92 upon the
completion of a referral inquiry.

2. Annually to parents at the time of eligibility
determination.

3. Child care providers that participate in the school
readiness program or the Voluntary Prekindergarten Education
Program at the time of execution of the statewide provider
contract.

4. Board members required under s. 1002.83.

(b) Results of the survey shall be based on a statistically
significant sample size and calculated annually for each early
learning coalition and included in the department’s annual
report published under subsection (7). If an early learning
coalition’s customer satisfaction survey results are below 60
percent, the coalition shall be placed on a 1-year corrective
action plan. If, after being placed on corrective action, an
early learning coalition’s customer satisfaction survey results
do not improve above the 60 percent threshold, the department
may contract out or merge the coalition.

(4)(3) If the department office determines during the
review of school readiness program plans, or through monitoring
and performance evaluations conducted under s. 1002.85, that an
early learning coalition has not substantially implemented its
plan, has not substantially met the performance standards and outcome measures adopted by the department office, or has not effectively administered the school readiness program or Voluntary Prekindergarten Education Program, the department office may remove the coalition from eligibility to administer early learning programs and temporarily contract with a qualified entity to continue school readiness program and prekindergarten services in the coalition’s county or multicounty region until the department office reestablishes or merges the coalition and a new school readiness program plan is approved in accordance with the rules adopted by the state board office.

(5) The department shall adopt procedures for merging early learning coalitions for failure to meet the requirements of subsection (3) or subsection (4), including procedures for the consolidation of merging coalitions that minimizes duplication of programs and services due to the merger, and for the early termination of the terms of the coalition members which are necessary to accomplish the mergers.

(6) The department office may request the Governor to apply for a waiver to allow a coalition to administer the Head Start Program to accomplish the purposes of the school readiness program.

(7) By January 1 of each year, the department office shall annually publish on its website a report of its activities conducted under this section. The report must include a summary of the coalitions’ annual reports, a statewide summary, and the following:

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

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

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

3. A description of the department’s office’s and each coalition’s expenditures by fund source for the quality and enhancement activities described in s. 1002.89(5)(b) and 1002.89(6)(b).

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

5. Data regarding the coalitions’ delivery of early learning programs.

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

7. The total number of providers by provider type.

8. The number of school readiness program providers who have completed the program assessment required under paragraph (2)(n); the number of providers who have not met the minimum program assessment composite score threshold for contracting established under paragraph (2)(n); and the number of providers that have an active improvement plan based on the results of the program assessment under paragraph (2)(n).
9. The total number of provider contracts revoked and the reasons for revocation.

(b) A detailed summary of the analysis compiled using the single statewide information system established in subsection (2) activities and detailed expenditures related to the Child Care Executive Partnership Program.

(8)(a)(6)(a) Parental choice of child care providers, including private and faith-based providers, shall be established to the maximum extent practicable in accordance with 45 C.F.R. s. 98.30.

(b) As used in this subsection, the term “payment certificate” means a child care certificate as defined in 45 C.F.R. s. 98.2.

(c) The school readiness program shall, in accordance with 45 C.F.R. s. 98.30, provide parental choice through a payment certificate that provides, to the maximum extent possible, flexibility in the school readiness program and payment arrangements. The payment certificate must bear the names of the beneficiary and the program provider and, when redeemed, must bear the signatures of both the beneficiary and an authorized representative of the provider.

(d) If it is determined that a provider has given any cash or other consideration to the beneficiary in return for receiving a payment certificate, the early learning coalition or its fiscal agent shall refer the matter to the Department of Financial Services pursuant to s. 414.411 for investigation.

(9)(7) Participation in the school readiness program does not expand the regulatory authority of the state, its officers, or an early learning coalition to impose any additional
regulation on providers beyond those necessary to enforce the
requirements set forth in this part and part V of this chapter.

Section 51. Present subsections (5) through (14) of section
1002.83, Florida Statutes, are redesignated as subsections (6)
through (15), respectively, a new subsection (5) is added to
that section, and subsections (1) and (3), paragraphs (e), (f),
and (m) of subsection (4), and present subsections (5), (11),
and (13) are amended, to read:

1002.83 Early learning coalitions.—
(1) Thirty-one or fewer early learning coalitions
are established and shall maintain direct enhancement services
at the local level and provide access to such services in all 67
counties. Two or more early learning coalitions may join for
purposes of planning and implementing a school readiness program
and the Voluntary Prekindergarten Education Program.

(3) The Governor shall appoint the chair and two other
members of each early learning coalition, who must each meet the
same qualifications of a private sector business member
members appointed by the coalition under subsection (6) (5). In
the absence of a governor-appointed chair, the Commissioner of
Education may appoint an interim chair from the current early
learning coalition board membership.

(4) Each early learning coalition must include the
following member positions; however, in a multicounty coalition,
each ex officio member position may be filled by multiple
nonvoting members but no more than one voting member shall be
seated per member position. If an early learning coalition has
more than one member representing the same entity, only one of
such members may serve as a voting member:
(e) A children’s services council or juvenile welfare board chair or executive director from each county, if applicable.

(f) A Department of Children and Families child care regulation representative or an agency head of a local licensing agency as defined in s. 402.302, where applicable.

(m) A central agency administrator, where applicable.

(5) If members of the board are found to be nonparticipating according to the early learning coalition bylaws, the early learning coalition may request an alternate designee who meets the same qualifications or membership requirements of the nonparticipating member.

(6) The early learning coalition may appoint additional members. Including the members who appointed by the Governor under subsection (3), more than one-third of the members of each early learning coalition must be private sector business members, either for-profit or nonprofit, who do not have, and none of whose relatives as defined in s. 112.3143 has, a substantial financial interest in the design or delivery of the Voluntary Prekindergarten Education Program created under part V of this chapter or the school readiness program. To meet this requirement, an early learning coalition must appoint additional members. The department office shall establish criteria for appointing private sector business members. These criteria must include standards for determining whether a member or relative has a substantial financial interest in the design or delivery of the Voluntary Prekindergarten Education Program or the school readiness program.

(12) Each early learning coalition shall establish terms for all appointed members of the coalition. The terms must
be staggered and must be a uniform length that does not exceed 4
years per term. Coalition chairs shall be appointed for 4 years
in conjunction with their membership on the Early Learning
Advisory Council pursuant to s. 20.052. Appointed members may
serve a maximum of two consecutive terms. When a vacancy occurs
in an appointed position, the coalition must advertise the
vacancy.

(14) Each early learning coalition shall complete an
annual evaluation of the early learning coalition’s executive
director or chief executive officer on forms adopted by the
department. The annual evaluation must be submitted to the
commissioner by June 30 of each year. Use a coordinated
professional development system that supports the achievement
and maintenance of core competencies by school readiness program
teachers in helping children attain the performance standards
adopted by the office.

Section 52. Present subsections (7) through (20) of section
1002.84, Florida Statutes, are redesignated as subsections (8)
through (21), respectively, a new subsection (7) is added to
that section, and subsections (1), (2), and (4) and present
subsections (7), (8), (15), (16), (17), (18), and (20) of that
section are amended, to read:

1002.84 Early learning coalitions; school readiness powers
and duties.—Each early learning coalition shall:

(1) Administer and implement a local comprehensive program
of school readiness program services in accordance with this
part and the rules adopted by the department office, which
enhances the cognitive, social, and physical development of
children to achieve the performance standards.
(2) Establish a uniform waiting list to track eligible children waiting for enrollment in the school readiness program in accordance with rules adopted by the State Board of Education office.

(4) Establish a regional Warm-Line as directed by the department office pursuant to s. 1002.82(2)(u) s. 1002.82(2)(t). Regional Warm-Line staff shall provide onsite technical assistance, when requested, to assist child care facilities and family day care homes with inquiries relating to the strategies, curriculum, and environmental adaptations the child care facilities and family day care homes may need as they serve children with disabilities and other special needs.

(7) Use a coordinated professional development system that supports the achievement and maintenance of core competencies by school readiness program teachers in helping children attain the performance standards adopted by the department.

(8) Determine child eligibility pursuant to s. 1002.87 and provider eligibility pursuant to s. 1002.88. Child eligibility must be redetermined annually. A coalition must document the reason a child is no longer eligible for the school readiness program according to the standard codes prescribed by the department office.

(9) Establish a parent sliding fee scale that provides for a parent copayment that is not a barrier to families receiving school readiness program services. Providers are required to collect the parent’s copayment. A coalition may, on a case-by-case basis, waive the copayment for an at-risk child or temporarily waive the copayment for a child whose family’s income is at or below the federal poverty level or whose
family experiences a natural disaster or an event that limits
the parent’s ability to pay, such as incarceration, placement in
residential treatment, or becoming homeless, or an emergency
situation such as a household fire or burglary, or while the
parent is participating in parenting classes or participating in
an Early Head Start program or Head Start Program. A parent may
not transfer school readiness program services to another school
readiness program provider until the parent has submitted
documentation from the current school readiness program provider
to the early learning coalition stating that the parent has
satisfactorily fulfilled the copayment obligation.

(16) Monitor school readiness program providers in
accordance with its plan, or in response to a parental
complaint, to verify that the standards prescribed in ss.
1002.82 and 1002.88 are being met using a standard monitoring
tool adopted by the department office. Providers determined to
be high-risk by the coalition, as demonstrated by substantial
findings of violations of federal law or the general or local
laws of the state, shall be monitored more frequently. Providers
with 3 consecutive years of compliance may be monitored
biennially.

(17) Adopt a payment schedule that encompasses all
programs funded under this part and part V of this chapter. The
payment schedule must take into consideration the prevailing
average market rate, include the projected number of children to
be served, and be submitted for approval by the department
office. Informal child care arrangements shall be reimbursed at
not more than 50 percent of the rate adopted for a family day
care home.
(18) Implement an anti-fraud plan addressing the
detection, reporting, and prevention of overpayments, abuse, and
fraud relating to the provision of and payment for school
readiness program and Voluntary Prekindergarten Education
Program services and submit the plan to the department office
for approval, as required by s. 1002.91.

(19) By October 1 of each year, submit an annual report
to the department office. The report shall conform to the format
adopted by the department office and must include:
(a) Segregation of school readiness program funds,
Voluntary Prekindergarten Education Program funds, Child Care
Executive Partnership Program funds, and other local revenues
available to the coalition.
(b) Details of expenditures by fund source, including total
expenditures for administrative activities, quality activities,
nondirect services, and direct services for children.
(c) The total number of coalition staff and the related
expenditures for salaries and benefits. For any subcontracts,
the total number of contracted staff and the related
expenditures for salaries and benefits must be included.
(d) The number of children served in the school readiness
program, by provider type, enumerated by age and eligibility
priority category, reported as the number of children served
during the month, the average participation throughout the
month, and the number of children served during the month.
(e) The total number of children disenrolled during the
year and the reasons for disenrollment.
(f) The total number of providers by provider type.
(g) A listing of any school readiness program provider, by
type, whose eligibility to deliver the school readiness program is revoked, including a brief description of the state or federal violation that resulted in the revocation.

(h) An evaluation of its direct enhancement services.

(i) The total number of children served in each provider facility.

(21)(a) To increase transparency and accountability, comply with the requirements of this section before contracting with one or more of the following persons or business entities which employs, has a contractual relationship with, or is owned by the following persons:

1. A member of the coalition appointed pursuant to s. 1002.83(4);
2. A board member of any other early learning subrecipient entity;
3. A coalition employee; or
4. A relative, as defined in s. 112.3143(1)(c), of any person listed in subparagraphs 1.-3 a coalition member or of an employee of the coalition.

(b) Such contracts may not be executed without the approval of the department office. Such contracts, as well as documentation demonstrating adherence to this section by the coalition, must be approved by a two-thirds vote of the coalition, a quorum having been established; all conflicts of interest must be disclosed before the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote. A contract under $25,000 between an early learning coalition and a member of that coalition or between a relative, as defined in s.
112.3143(1)(c), of a coalition member or of an employee of the
correlation is not required to have the prior approval of the
department office but must be approved by a two-thirds vote of
the coalition, a quorum having been established, and must be
reported to the department office within 30 days after approval.
If a contract cannot be approved by the department office, a
review of the decision to disapprove the contract may be
requested by the early learning coalition or other parties to
the disapproved contract.

Section 53. Section 1002.85, Florida Statutes, is amended
to read:

1002.85 Early learning coalition plans.—
(1) The department office shall adopt rules prescribing the
standardized format and required content of school readiness
program plans as necessary for a coalition or other qualified
entity to administer the school readiness program as provided in
this part.

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

(a) The coalition’s operations, including its membership
and business organization, and the coalition’s articles of incorporation and bylaws if the coalition is organized as a corporation. If the coalition is not organized as a corporation or other business entity, the plan must include the contract with a fiscal agent.

(b) The minimum number of children to be served by care level.

(c) The coalition’s procedures for implementing the requirements of this part, including:
   1. Single point of entry.
   2. Uniform waiting list.
   3. Eligibility and enrollment processes and local eligibility priorities for children pursuant to s. 1002.87.
   4. Parent access and choice.
   5. Sliding fee scale and policies on applying the waiver or reduction of fees in accordance with s. 1002.84(9) and s. 1002.84(8).
   6. Use of preassessments and postassessments, as applicable.
   7. Payment rate schedule.
   8. Use of contracted slots, as applicable, based on the results of the assessment required under paragraph (j).

(d) A detailed description of the coalition’s quality activities and services, including, but not limited to:
   1. Resource and referral and school-age child care.
   2. Infant and toddler early learning.
   3. Inclusive early learning programs.
   4. Quality improvement strategies that strengthen teaching practices and increase child outcomes.
(e) A detailed budget that outlines estimated expenditures for state, federal, and local matching funds at the lowest level of detail available by other-cost-accumulator code number; all estimated sources of revenue with identifiable descriptions; a listing of full-time equivalent positions; contracted subcontractor costs with related annual compensation amount or hourly rate of compensation; and a capital improvements plan outlining existing fixed capital outlay projects and proposed capital outlay projects that will begin during the budget year.

(f) A detailed accounting, in the format prescribed by the department office, of all revenues and expenditures during the previous state fiscal year. Revenue sources should be identifiable, and expenditures should be reported by two three categories: state and federal funds and local matching funds and Child Care Executive Partnership Program funds.

(g) Updated policies and procedures, including those governing procurement, maintenance of tangible personal property, maintenance of records, information technology security, and disbursement controls.

(h) A description of the procedures for monitoring school readiness program providers, including in response to a parental complaint, to determine that the standards prescribed in ss. 1002.82 and 1002.88 are met using a standard monitoring tool adopted by the department office. Providers determined to be high risk by the coalition as demonstrated by substantial findings of violations of law shall be monitored more frequently.

(i) Documentation that the coalition has solicited and considered comments regarding the proposed school readiness
program plan from the local community.

   (j) An assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.

   (3) The coalition may periodically amend its plan as necessary. An amended plan must be submitted to and approved by the department office before any expenditures are incurred on the new activities proposed in the amendment.

   (4) The department office shall publish a copy of the standardized format and required content of school readiness program plans on its website.

   (5) The department office shall collect and report data on coalition delivery of early learning programs. Elements shall include, but are not limited to, measures related to progress towards reducing the number of children on the waiting list, the percentage of children served by the program as compared to the number of administrative staff and overhead, the percentage of children served compared to total number of children under the age of 5 years below 150 percent of the federal poverty level, provider payment processes, fraud intervention, child attendance and stability, use of child care resource and referral, and kindergarten readiness outcomes for children in the Voluntary Prekindergarten Education Program or the school readiness program upon entry into kindergarten. The department office shall request input from the coalitions and school readiness program providers before finalizing the format and data to be used. The report shall be implemented beginning July 1, 2014, and results of the report must be included in the annual report under s. 1002.82.
Section 54. Paragraphs (a), (b), (c), (e), (f), (m), (n), (p), and (q) of subsection (1) and subsection (3) of section 1002.88, Florida Statutes, are amended, and paragraph (s) is added to subsection (1) of that section, to read:

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

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

(a) Be a child care facility licensed under s. 402.305, a family day care home licensed or registered under s. 402.313, a large family child care home licensed under s. 402.3131, a public school or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care provider exempt from licensure under s. 402.316, a before-school or after-school program described in s. 402.305(1)(c), a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, or an informal child care provider to the extent authorized in the state’s Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who has been issued a provisional license pursuant to s. 402.309. A provider may not deliver the program while holding a probation-status license under s. 402.310.

(b) Provide instruction and activities to enhance the age-appropriate progress of each child in attaining the child development standards adopted by the department pursuant to s. 1002.82(2)(j). A provider should include activities to foster brain development in infants and toddlers; provide an
environment that is rich in language and music and filled with objects of various colors, shapes, textures, and sizes to stimulate visual, tactile, auditory, and linguistic senses; and include 30 minutes of reading to children each day.

(c) Provide basic health and safety of its premises and facilities and compliance with requirements for age-appropriate immunizations of children enrolled in the school readiness program.

1. For a provider that is licensed, compliance with s. 402.305, s. 402.3131, or s. 402.313 and this subsection, as verified pursuant to s. 402.311, satisfies this requirement.

2. For a provider that is a registered family day care home or is not subject to licensure or registration by the Department of Children and Families, compliance with this subsection, as verified pursuant to s. 402.311, satisfies this requirement.

Upon verification pursuant to s. 402.311, the provider shall annually post the health and safety checklist adopted by the department prominently on its premises in plain sight for visitors and parents and shall annually submit the checklist to its local early learning coalition.

3. For a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the submission and verification of annual inspections pursuant to United States Department of Defense Instructions 6060.2 and 1402.05 satisfies this requirement.

(e) Employ child care personnel, as defined in s. 402.302(3), who have satisfied the screening requirements of chapter 402 and fulfilled the training requirements of the
department office.

(f) Implement one of the curricula approved by the department office that meets the child development standards.

(m) For a provider that is not an informal provider, maintain general liability insurance and provide the coalition with written evidence of general liability insurance coverage, including coverage for transportation of children if school readiness program children are transported by the provider. A provider must obtain and retain an insurance policy that provides a minimum of $100,000 of coverage per occurrence and a minimum of $300,000 general aggregate coverage. The department office may authorize lower limits upon request, as appropriate. A provider must add the coalition as a named certificateholder and as an additional insured. A provider must provide the coalition with a minimum of 10 calendar days’ advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider contract with the coalition.

(n) For a provider that is an informal provider, comply with the provisions of paragraph (m) or maintain homeowner’s liability insurance and, if applicable, a business rider. If an informal provider chooses to maintain a homeowner’s insurance policy, the provider must obtain and retain a homeowner’s insurance policy that provides a minimum of $100,000 of coverage per occurrence and a minimum of $300,000 general aggregate coverage. The department office may authorize lower limits upon request, as appropriate. An informal provider must add the coalition as a named certificateholder and as an additional insured.
informal provider must provide the coalition with a minimum of 10 calendar days’ advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider’s contract with the coalition.

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

Notwithstanding paragraph (m), for a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the provider may demonstrate liability coverage by affirming that it is subject to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

(q) Execute the standard statewide provider contract adopted by the department office.

(s) Collect all parent copayment fees, unless a waiver has been granted under s. 1002.84(8).

(3) The department office and the coalitions may not:

(a) Impose any requirement on a child care provider or early childhood education provider that does not deliver services under the school readiness program or receive state or federal funds under this part;

(b) Impose any requirement on a school readiness program provider that exceeds the authority provided under this part or part V of this chapter or rules adopted pursuant to this part or
part V of this chapter; or

(c) Require a provider to administer a preassessment or postassessment.

Section 55. Present subsections (3) through (7) of section 1002.89, Florida Statutes, are redesignated as subsections (2) through (6), respectively, and present subsections (2), (3), and (6) of that section are amended, to read:

1002.89 School readiness program; funding.—

(2) The office shall administer school readiness program funds and prepare and submit a unified budget request for the school readiness program in accordance with chapter 216.

(3) All instructions to early learning coalitions for administering this section shall emanate from the department office in accordance with the policies of the Legislature.

(4) Costs shall be kept to the minimum necessary for the efficient and effective administration of the school readiness program with the highest priority of expenditure being direct services for eligible children. However, no more than 5 percent of the funds described in subsection (4) subsection (5) may be used for administrative costs and no more than 22 percent of the funds described in subsection (4) subsection (5) may be used in any fiscal year for any combination of administrative costs, quality activities, and nondirect services as follows:

(a) Administrative costs as described in 45 C.F.R. s. 98.52, which shall include monitoring providers using the standard methodology adopted under s. 1002.82 to improve compliance with state and federal regulations and law pursuant to the requirements of the statewide provider contract adopted under s. 1002.82(2)(m).
(b) Activities to improve the quality of child care as described in 45 C.F.R. s. 98.51, which shall be limited to the following:

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

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

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

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

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

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

(c) Nondirect services as described in applicable Office of Management and Budget instructions are those services not defined as administrative, direct, or quality services that are required to administer the school readiness program. Such services include, but are not limited to:

1. Assisting families to complete the required application and eligibility documentation.
2. Determining child and family eligibility.
3. Recruiting eligible child care providers.
4. Processing and tracking attendance records.
5. Developing and maintaining a statewide child care information system.

As used in this paragraph, the term “nondirect services” does not include payments to school readiness program providers for direct services provided to children who are eligible under s. 1002.87, administrative costs as described in paragraph (a), or quality activities as described in paragraph (b).

Section 56. Subsection (1), paragraph (a) of subsection (2), and subsections (4), (5), and (6) of section 1002.895,
Florida Statutes, are amended to read:

1002.895 Market rate schedule.—The school readiness program market rate schedule shall be implemented as follows:

(1) The department office shall establish procedures for the adoption of a market rate schedule. The schedule must include, at a minimum, county-by-county rates:

   (a) The market rate, including the minimum and the maximum rates for child care providers that hold a Gold Seal Quality Care designation under s. 1002.945 and adhere to its accrediting association’s teacher-to-child ratios and group size requirements s. 402.281.

   (b) The market rate for child care providers that do not hold a Gold Seal Quality Care designation.

(2) The market rate schedule, at a minimum, must:

   (a) Differentiate rates by type, including, but not limited to, a child care provider that holds a Gold Seal Quality Care designation under s. 1002.945 and adheres to its accrediting association’s teacher-to-child ratios and group size requirements s. 402.281, a child care facility licensed under s. 402.305, a public or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care facility exempt from licensure under s. 402.316 that does not hold a Gold Seal Quality Care designation, a large family child care home licensed under s. 402.3131, or a family day care home licensed or registered under s. 402.313.

   (4) The market rate schedule shall be considered by an early learning coalition in the adoption of a payment schedule. The payment schedule must take into consideration the prevailing average market rate and include the projected number of
children to be served by each county, and be submitted for approval by the department office. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate adopted for a family day care home.

(5) The department office may contract with one or more qualified entities to administer this section and provide support and technical assistance for child care providers.

(6) The department office may adopt rules for establishing procedures for the collection of child care providers’ market rate, the calculation of the prevailing average market rate by program care level and provider type in a predetermined geographic market, and the publication of the market rate schedule.

Section 57. Section 1002.91, Florida Statutes, is amended to read:

1002.91 Investigations of fraud or overpayment; penalties.—

(1) As used in this subsection, the term “fraud” means an intentional deception, omission, or misrepresentation made by a person with knowledge that the deception, omission, or misrepresentation may result in unauthorized benefit to that person or another person, or any aiding and abetting of the commission of such an act. The term includes any act that constitutes fraud under applicable federal or state law.

(2) To recover state, federal, and local matching funds, the department office shall investigate early learning coalitions, recipients, and providers of the school readiness program and the Voluntary Prekindergarten Education Program to determine possible fraud or overpayment. If by its own inquiries, or as a result of a complaint, the department office...
has reason to believe that a person, coalition, or provider has engaged in, or is engaging in, a fraudulent act, it shall investigate and determine whether any overpayment has occurred due to the fraudulent act. During the investigation, the department office may examine all records, including electronic benefits transfer records, and make inquiry of all persons who may have knowledge as to any irregularity incidental to the disbursement of public moneys or other items or benefits authorizations to recipients.

(3) Based on the results of the investigation, the department office may, in its discretion, refer the investigation to the Department of Financial Services for criminal investigation or refer the matter to the applicable coalition. Any suspected criminal violation identified by the department office must be referred to the Department of Financial Services for criminal investigation.

(4) An early learning coalition may suspend or terminate a provider from participation in the school readiness program or the Voluntary Prekindergarten Education Program when it has reasonable cause to believe that the provider has committed fraud. The department office shall adopt by rule appropriate due process procedures that the early learning coalition shall apply in suspending or terminating any provider, including the suspension or termination of payment. If suspended, the provider shall remain suspended until the completion of any investigation by the department office, the Department of Financial Services, or any other state or federal agency, and any subsequent prosecution or other legal proceeding.

(5) If a school readiness program provider or a Voluntary
Prekindergarten Education Program provider, or an owner, officer, or director thereof, is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, or is acting as the beneficial owner for someone who has been convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, the early learning coalition shall refrain from contracting with, or using the services of, that provider for a period of 5 years. In addition, the coalition shall refrain from contracting with, or using the services of, any provider that shares an officer or director with a provider that is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39 for a period of 5 years.

(6) If the investigation is not confidential or otherwise exempt from disclosure by law, the results of the investigation may be reported by the department office to the appropriate legislative committees, the Department of Children and Families, and such other persons as the department office deems appropriate.

(7) The early learning coalition may not contract with a school readiness program provider or a Voluntary Prekindergarten Education Program provider who is on the United States Department of Agriculture National Disqualified List. In addition, the coalition may not contract with any provider that shares an officer or director with a provider that is on the United States Department of Agriculture National Disqualified List.
(8) Each early learning coalition shall adopt an anti-fraud plan addressing the detection and prevention of overpayments, abuse, and fraud relating to the provision of and payment for school readiness program and Voluntary Prekindergarten Education Program services and submit the plan to the department office for approval. The department office shall adopt rules establishing criteria for the anti-fraud plan, including appropriate due process provisions. The anti-fraud plan must include, at a minimum:

(a) A written description or chart outlining the organizational structure of the plan’s personnel who are responsible for the investigation and reporting of possible overpayment, abuse, or fraud.

(b) A description of the plan’s procedures for detecting and investigating possible acts of fraud, abuse, or overpayment.

(c) A description of the plan’s procedures for the mandatory reporting of possible overpayment, abuse, or fraud to the Office of Inspector General within the department office.

(d) A description of the plan’s program and procedures for educating and training personnel on how to detect and prevent fraud, abuse, and overpayment.

(e) A description of the plan’s procedures, including the appropriate due process provisions adopted by the department office for suspending or terminating from the school readiness program or the Voluntary Prekindergarten Education Program a recipient or provider who the early learning coalition believes has committed fraud.

(9) A person who commits an act of fraud as defined in this section is subject to the penalties provided in s. 414.39(5)(a)
Section 58. Subsections (1) and (2) and paragraphs (a), (c), and (d) of subsection (3) of section 1002.92, Florida Statutes, are amended to read:

1002.92 Child care and early childhood resource and referral.—

(1) As a part of the school readiness program, the department office shall establish a statewide child care resource and referral network that is unbiased and provides referrals to families for child care and information on available community resources. Preference shall be given to using early learning coalitions as the child care resource and referral agencies. If an early learning coalition cannot comply with the requirements to offer the resource information component or does not want to offer that service, the early learning coalition shall select the resource and referral agency for its county or multicounty region based upon the procurement requirements of s. 1002.84(13) s. 1002.84(12).

(2) At least one child care resource and referral agency must be established in each early learning coalition’s county or multicounty region. The department office shall adopt rules regarding accessibility of child care resource and referral services offered through child care resource and referral agencies in each county or multicounty region which include, at a minimum, required hours of operation, methods by which parents may request services, and child care resource and referral staff training requirements.

(3) Child care resource and referral agencies shall provide the following services:
(a) Identification of existing public and private child
care and early childhood education services, including child
care services by public and private employers, and the
development of an early learning provider performance profile -
resource file of those services through the single statewide
information system developed by the department office under s. 
1002.82(2)(q) s. 1002.82(2)(p). These services may include
family day care, public and private child care programs, the
Voluntary Prekindergarten Education Program, Head Start, the
school readiness program, special education programs for
prekindergarten children with disabilities, services for
children with developmental disabilities, full-time and part-
time programs, before-school and after-school programs, and
vacation care programs, parent education, the temporary cash
assistance program, and related family support services. The
early learning provider performance profile - resource file shall
include, but not be limited to:

1. Type of program.
2. Hours of service.
3. Ages of children served.
4. Number of children served.
5. Program information.
6. Fees and eligibility for services.
7. Availability of transportation.
8. Participation in the Child Care Food Program, if
applicable.
9. A link to licensing inspection reports, if applicable.
10. The components of the Voluntary Prekindergarten
Education Program performance metric calculated under s.
1002.68, which must consist of the program assessment composite score, the learning gains score, the achievement score, and its designations, if applicable.

11. The school readiness program assessment composite score and program assessment care level composite scores delineated by infant classroom, toddler classroom, and preschool classroom results under s. 1002.82, if applicable.

12. Gold Seal Quality Care designation under s. 1002.945, if applicable.

13. An indication as to whether the provider implements a curriculum approved by the department and the name of the curriculum, if applicable.

14. An indication as to whether the provider participates in the school readiness child assessment under s. 1002.82.

(c) Maintenance of ongoing documentation of requests for service tabulated through the internal referral process through the single statewide information system. The following documentation of requests for service shall be maintained by the child care resource and referral network:

1. Number of calls and contacts to the child care resource information and referral network component by type of service requested.

2. Ages of children for whom service was requested.

3. Time category of child care requests for each child.

4. Special time category, such as nights, weekends, and swing shift.

5. Reason that the child care is needed.

6. Customer satisfaction survey data required under s. 1002.82(3). Name of the employer and primary focus of the
business for an employer-based child care program.

(d) Assistance to families that connects them to parent education opportunities, the temporary cash assistance program, or social services programs that support families with children, and related child development support services. Provision of technical assistance to existing and potential providers of child care services. This assistance may include:

1. Information on initiating new child care services, zoning, and program and budget development and assistance in finding such information from other sources.

2. Information and resources which help existing child care services providers to maximize their ability to serve children and parents in their community.

3. Information and incentives that may help existing or planned child care services offered by public or private employers seeking to maximize their ability to serve the children of their working parent employees in their community, through contractual or other funding arrangements with businesses.

Section 59. Subsection (1) of section 1002.93, Florida Statutes, is amended to read:

1002.93 School readiness program transportation services.—

(1) The department office may authorize an early learning coalition to establish school readiness program transportation services for children at risk of abuse or neglect who are participating in the school readiness program, pursuant to chapter 427. The early learning coalitions may contract for the provision of transportation services as required by this section.
Section 60. Section 1002.94, Florida Statutes, is repealed.

Section 61. Section 1002.95, Florida Statutes, is amended to read:

1002.95 Teacher Education and Compensation Helps (TEACH) scholarship program.—

(1) The department office may contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program, which provides educational scholarships to caregivers and administrators of early childhood programs, family day care homes, and large family child care homes. The goal of the program is to increase the education and training for caregivers, increase the compensation for child caregivers who complete the program requirements, and reduce the rate of participant turnover in the field of early childhood education.

(2) The State Board of Education office shall adopt rules as necessary to administer this section.

Section 62. Subsections (1) and (3) of section 1002.96, Florida Statutes, are amended to read:

1002.96 Early Head Start collaboration grants.—

(1) Contingent upon specific appropriation, the department office shall establish a program to award collaboration grants to assist local agencies in securing Early Head Start programs through Early Head Start program federal grants. The collaboration grants shall provide the required matching funds for public and private nonprofit agencies that have been approved for Early Head Start program federal grants.

(3) The department office may adopt rules as necessary for the award of collaboration grants to competing agencies and the
administration of the collaboration grants program under this section.

Section 63. Subsection (1) and paragraph (g) of subsection (3) of section 1002.97, Florida Statutes, are amended to read:

1002.97 Records of children in the school readiness program.—

(1) The individual records of children enrolled in the school readiness program provided under this part, held by an early learning coalition or the department office, 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.

(3) School readiness program records may be released to:

(g) Parties to an interagency agreement among early learning coalitions, local governmental agencies, providers of the school readiness program, state agencies, and the department office for the purpose of implementing the school readiness program.

Agencies, organizations, or individuals that receive school readiness program 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 and his or her parent by persons other than those authorized to receive the records.

Section 64. Subsections (1) and (3) of section 1002.995, Florida Statutes, are amended to read:

1002.995 Early learning professional development standards
and career pathways.—

(1) The department office shall:

(a) Develop early learning professional development training and course standards to be utilized for school readiness program providers.

(b) Identify both formal and informal early learning career pathways with stackable credentials and certifications that allow early childhood teachers to access specialized professional development that:

1. Strengthens knowledge and teaching practices.

2. Aligns to established professional standards and core competencies.

3. Provides a progression of attainable, competency-based stackable credentials and certifications.

4. Improves outcomes for children to increase kindergarten readiness and early grade success.

(3) The State Board of Education office shall adopt rules to administer this section.

Section 65. Subsection (3) of section 1003.575, Florida Statutes, is amended to read:

1003.575 Assistive technology devices; findings; interagency agreements.—Accessibility, utilization, and coordination of appropriate assistive technology devices and services are essential as a young person with disabilities moves from early intervention to preschool, from preschool to school, from one school to another, from school to employment or independent living, and from school to home and community. If an individual education plan team makes a recommendation in accordance with State Board of Education rule for a student with
a disability, as defined in s. 1003.01(3), to receive an assistive technology assessment, that assessment must be completed within 60 school days after the team’s recommendation. To ensure that an assistive technology device issued to a young person as part of his or her individualized family support plan, individual support plan, individualized plan for employment, or individual education plan remains with the individual through such transitions, the following agencies shall enter into interagency agreements, as appropriate, to ensure the transaction of assistive technology devices:

(3) The Voluntary Prekindergarten Education Program administered by the Department of Education and the Office of Early Learning.

Interagency agreements entered into pursuant to this section shall provide a framework for ensuring that young persons with disabilities and their families, educators, and employers are informed about the utilization and coordination of assistive technology devices and services that may assist in meeting transition needs, and shall establish a mechanism by which a young person or his or her parent may request that an assistive technology device remain with the young person as he or she moves through the continuum from home to school to postschool.

Section 66. Section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; Articulation Coordinating Committee.—

(1) It is the intent of the Legislature to facilitate
articulation and seamless integration of the Early Learning-20 K-20 education system by building, sustaining, and strengthening relationships among Early Learning-20 K-20 public organizations, between public and private organizations, and between the education system as a whole and Florida’s communities. The purpose of building, sustaining, and strengthening these relationships is to provide for the efficient and effective progression and transfer of students within the education system and to allow students to proceed toward their educational objectives as rapidly as their circumstances permit. The Legislature further intends that articulation policies and budget actions be implemented consistently in the practices of the Department of Education and postsecondary educational institutions and expressed in the collaborative policy efforts of the State Board of Education and the Board of Governors.

(2) To improve and facilitate articulation systemwide, the State Board of Education and the Board of Governors shall collaboratively establish and adopt policies with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System and shall recommend the policies to the Legislature. The policies shall relate to:

(a) The alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer.

(b) The identification of common courses, the level of courses, institutional participation in a statewide course numbering system, and the transferability of credits among such institutions.
(c) Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.

(d) Dual enrollment course equivalencies.

(e) Articulation agreements.

(3) The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish the Articulation Coordinating Committee, which shall make recommendations related to statewide articulation policies and issues regarding access, quality, and reporting of data maintained by the educational K-20 data warehouse, established pursuant to ss. 1001.10 and 1008.31, to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors. The committee shall consist of two members each representing the State University System, the Florida College System, public career and technical education, K-12 education, and nonpublic postsecondary education and one member representing students. The chair shall be elected from the membership. The Office of K-20 Articulation shall provide administrative support for the committee. The committee shall:

(a) Monitor the alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer and make recommendations for improvement.

(b) Propose guidelines for interinstitutional agreements between and among public schools, career and technical education centers, Florida College System institutions, state universities, and nonpublic postsecondary institutions.

(c) Annually recommend dual enrollment course and high
school subject area equivalencies for approval by the State Board of Education and the Board of Governors.

(d) Annually review the statewide articulation agreement pursuant to s. 1007.23 and make recommendations for revisions.

(e) Annually review the statewide course numbering system, the levels of courses, and the application of transfer credit requirements among public and nonpublic institutions participating in the statewide course numbering system and identify instances of student transfer and admissions difficulties.

(f) Annually publish a list of courses that meet common general education and common degree program prerequisite requirements at public postsecondary institutions identified pursuant to s. 1007.25.

(g) Foster timely collection and reporting of statewide education data to improve the Early Learning-20 K-20 education performance accountability system pursuant to ss. 1001.10 and 1008.31, including, but not limited to, data quality, accessibility, and protection of student records.

(h) Recommend roles and responsibilities of public education entities in interfacing with the single, statewide computer-assisted student advising system established pursuant to s. 1006.735.

Section 67. Section 1008.2125, Florida Statutes, is created to read:

1008.2125 Coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3.—

(1) The primary purpose of the coordinated screening and
progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 is to provide information on students’ progress in mastering the appropriate grade-level standards and to provide information on their progress to parents, teachers, and school and program administrators. Data shall be used by Voluntary Prekindergarten Education Program providers and school districts to improve instruction, by parents and teachers to guide learning objectives and provide timely and appropriate supports and interventions to students not meeting grade level expectations, and by the public to assess the cost benefit of the expenditure of taxpayer dollars. The coordinated screening and progress monitoring program must:

(a) Assess the progress of students in the Voluntary Prekindergarten Education Program through grade 3 in meeting the appropriate expectations in early literacy and math skills and in English Language Arts and mathematics, as required by ss. 1002.67(1)(a) and 1003.41.

(b) Provide data for accountability of the Voluntary Prekindergarten Education Program, as required by s. 1002.68.

(c) Provide baseline data to the department of each student’s readiness for kindergarten, which must be based on each kindergarten student’s progress monitoring results within the first 30 days of enrollment in accordance with paragraph (2)(a). The methodology for determining a student’s readiness for kindergarten shall be developed by the same independent expert identified in s. 1002.68(4)(d).

(d) Identify the educational strengths and needs of students in the Voluntary Prekindergarten Education Program.
through grade 3.

(e) Provide teachers with progress monitoring data to provide timely interventions and supports pursuant to s. 1008.25(4).

(f) Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels.

(g) Provide information to aid in the evaluation and development of educational programs and policies.

(2) The Commissioner of Education shall design a statewide, standardized coordinated screening and progress monitoring program to assess early literacy and mathematics skills and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, respectively. The coordinated screening and progress monitoring program must provide interval level and norm-referenced data that measures equivalent levels of growth; be a developmentally appropriate, valid, and reliable direct assessment; be able to capture data on students who may be performing below grade or developmental level and which may enable the identification of early indicators of dyslexia or other developmental delays; accurately measure the core content in the applicable grade level standards; document learning gains for the achievement of these standards; and provide teachers with progress monitoring supports and materials that enhance differentiated instruction and parent communication.

Participation in the coordinated screening and progress monitoring program is mandatory for all students in the Voluntary Prekindergarten Education Program and enrolled in a public school in kindergarten through grade 3. The coordinated
screening and progress monitoring program shall be implemented beginning in the 2021-2022 school year for students in the Voluntary Prekindergarten Education Program and kindergarten students, as follows:

(a) The coordinated screening and progress monitoring program shall be administered within the first 30 days after enrollment, midyear, and within the last 30 days of the program or school year, in accordance with the rules adopted by the State Board of Education. The state board may adopt alternate timeframes to address nontraditional school year calendars or summer programs to ensure administration of the coordinated screening and progress monitoring program is administered a minimum of 3 times within a year or program.

(b) The results of the coordinated screening and progress monitoring program shall be reported to the department, in accordance with the rules adopted by the state board, and maintained in the department’s educational data warehouse.

(3) The Commissioner of Education shall:

(a) Develop a plan, in coordination with the Early Grade Success Advisory Committee, for implementing the coordinated screening and progress monitoring program in consideration of timelines for implementing new early literacy and mathematics skills and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, as appropriate.

(b) Provide data, reports, and information as requested to the Early Grade Success Advisory Committee.

(4) The Early Grade Success Advisory Committee, a committee as defined in s. 20.03, is created within the Department of Education to oversee the coordinated screening and progress
monitoring program and, except as otherwise provided in this section, shall operate consistent with s. 20.052.

(a) The committee shall be responsible for reviewing the implementation of, training for, and outcomes from the coordinated screening and progress monitoring program to provide recommendations to the department that supports grade 3 students reading at or above grade level. The committee, at a minimum, shall:

1. Provide recommendations on the implementation of the coordinated screening and progress monitoring program, including reviewing any procurement solicitation documents and criteria before being published.

2. Develop training plans, and timelines for such training.

3. Identify appropriate personnel, processes, and procedures required for the administration of the coordinated screening and progress monitoring program.

4. Provide input on the methodology for calculating a provider’s or school’s performance metric and designations under s. 1002.68.

5. Work with the department’s independent expert under s. 1002.68(4)(d) to review the methodology for determining a child’s kindergarten readiness.

6. Review data on age-appropriate learning gains by grade level that a student would need to attain in order to demonstrate proficiency in reading by grade 3.

7. Continually review anonymized data from the results of the coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 to help inform recommendations to the department.
that support practices that will enable grade 3 students to read at or above grade level.

(b) The committee shall be composed of 17 members who are residents of the state and appointed as follows:

1. Fifteen members appointed by the Commissioner of Education:
   a. One representative from the Department of Education.
   b. One parent of a child who is 4 to 9 years of age.
   c. One representative of an urban school district.
   d. One representative of a rural school district.
   e. One representative of an urban early learning coalition.
   f. One representative of a rural early learning coalition.
   g. One representative of an early learning provider.
   h. One representative of a faith-based early learning provider.
   i. One representative who is a kindergarten teacher who has at least 5 years of teaching experience.
   j. One representative who is a second grade teacher with at least 5 years of teaching experience.
   k. One representative who is a school principal.

2. Four representatives with subject matter expertise in early learning, early grade success, or child assessments. The four representatives with subject matter expertise may not be direct stakeholders within the early learning or public school systems or potential recipients of a contract resulting from the committee’s recommendations.

2. One senator who is appointed by and serves at the pleasure of the President of the Senate.

3. One representative who is appointed by and serves at the
pleasure of the Speaker of the House of Representatives.

(5) The committee shall elect a chair and vice chair, one
of whom must be a member who has subject matter expertise in
early learning, early grade success, or child assessments, and
one of whom must be a senator or representative. Members of the
committee shall serve without compensation, but are entitled to
reimbursement for per diem and travel expenses pursuant to s.
112.061.

(6) The committee must meet at least biennially and may
meet by teleconference or other electronic means, if possible,
to reduce costs.

(7) A majority of the members constitutes a quorum.

(8) The committee terminates on July 1, 2023.

Section 68. Present paragraphs (b) and (c) of subsection
(5) of section 1008.25, Florida Statutes, are redesignated as
paragraphs (c) and (d), respectively, a new paragraph (b) is
added to that subsection, and paragraph (b) of subsection (6),
subsection (7), and paragraph (a) of subsection (8) are amended,
to read:

1008.25 Public school student progression; student support;
reporting requirements.—

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(b) Any Voluntary Prekindergarten Education Program student
who exhibits a substantial deficiency in early literacy in
accordance with the standards under s. 1002.67(1)(a) and based
upon the results of the administration of the final coordinated
screening and progress monitoring under s. 1008.2125 shall be
referred to the local school district and may be eligible to
receive intensive reading interventions before participating in
kindergarten. Such intensive reading interventions shall be paid
for using funds from the district’s research-based reading
instruction allocation in accordance with s. 1011.62(9).

(6) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from
mandatory retention, as provided in paragraph (5)(c) (5)(b), for
good cause. A student who is promoted to grade 4 with a good
cause exemption shall be provided intensive reading instruction
and intervention that include specialized diagnostic information
and specific reading strategies to meet the needs of each
student so promoted. The school district shall assist schools
and teachers with the implementation of explicit, systematic,
and multisensory reading instruction and intervention strategies
for students promoted with a good cause exemption which research
has shown to be successful in improving reading among students
who have reading difficulties. Good cause exemptions are limited
to the following:

1. Limited English proficient students who have had less
than 2 years of instruction in an English for Speakers of Other
Languages program based on the initial date of entry into a
school in the United States.

2. Students with disabilities whose individual education
plan indicates that participation in the statewide assessment
program is not appropriate, consistent with the requirements of
s. 1008.212.

3. Students who demonstrate an acceptable level of
performance on an alternative standardized reading or English
Language Arts assessment approved by the State Board of
Education.
4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

(7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(a) Students retained under paragraph (5)(c) (5)(b) must be provided intensive interventions in reading to ameliorate the student’s specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.

2. Participation in the school district’s summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1.
3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

a. Integration of content-rich texts in science and social studies within the 90-minute block.

b. Small group instruction.

c. Reduced teacher-student ratios.

d. More frequent progress monitoring.

e. Tutoring or mentoring.

f. Transition classes containing 3rd and 4th grade students.

g. Extended school day, week, or year.

(b) Each school district shall:

1. Provide written notification to the parent of a student who is retained under paragraph (5)(c) (5)(b) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with paragraph (5)(d) (5)(e) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.

2. Implement a policy for the midyear promotion of a student retained under paragraph (5)(c) (5)(b) who can demonstrate that he or she is a successful and independent reader and performing at or above grade level in reading or, upon implementation of English Language Arts assessments, performing at or above grade level in English Language Arts.

Tools that school districts may use in reevaluating a student
retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Students promoted during the school year after November 1 must demonstrate proficiency levels in reading equivalent to the level necessary for the beginning of grade 4. The rules adopted by the State Board of Education must include standards that provide a reasonable expectation that the student’s progress is sufficient to master appropriate grade 4 level reading skills.

3. Provide students who are retained under paragraph (5)(c), including students participating in the school district’s summer reading camp under subparagraph (a)2., with a highly effective teacher as determined by the teacher’s performance evaluation under s. 1012.34, and, beginning July 1, 2020, the teacher must also be certified or endorsed in reading.

4. Establish at each school, when applicable, an intensive reading acceleration course for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2. The intensive reading acceleration course must provide the following:

a. Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas through content-rich texts.

b. Small group instruction.

c. Reduced teacher-student ratios.

d. The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language
therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.

   e. A read-at-home plan.

(8) ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5)(c)
(5)(b), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student’s results on each statewide, standardized assessment. The evaluation of each student’s progress must be based upon the student’s classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5)(a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

Section 69. Section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida’s Early Learning-20 K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:

(a) The performance accountability system implemented to assess the effectiveness of Florida’s seamless Early Learning-20 K-20 education delivery system provide answers to the following questions in relation to its mission and goals:

1. What is the public receiving in return for funds it
invests in education?

2. How effectively is Florida’s Early Learning-20 K-20 education system educating its students?

3. How effectively are the major delivery sectors promoting student achievement?

4. How are individual schools and postsecondary education institutions performing their responsibility to educate their students as measured by how students are performing and how much they are learning?

(b) The Early Learning-20 K-20 education performance accountability system be established as a single, unified accountability system with multiple components, including, but not limited to, student performance in public schools and school and district grades.

(c) The K-20 education performance accountability system comply with the requirements of the “No Child Left Behind Act of 2001,” Pub. L. No. 107-110, and the Individuals with Disabilities Education Act (IDEA).

(d) The early learning accountability system comply with the requirements of part V and part VI of chapter 1002 and the requirements of the Child Care and Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts 98 and 99.

(e) The State Board of Education and the Board of Governors of the State University System recommend to the Legislature systemwide performance standards; the Legislature establish systemwide performance measures and standards; and the systemwide measures and standards provide Floridians with information on what the public is receiving in return for the funds it invests in education and how well the Early Learning-20
(f)1. The State Board of Education establish performance measures and set performance standards for individual public schools and Florida College System institutions, with measures and standards based primarily on student achievement.

2. The Board of Governors of the State University System establish performance measures and set performance standards for individual state universities, including actual completion rates.

(2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

(a) The mission of Florida’s Early Learning-20 K-20 education system shall be to increase the proficiency of all students within one seamless, efficient system, by allowing them the opportunity to expand their knowledge and skills through learning opportunities and research valued by students, parents, and communities.

(b) The process for establishing state and sector-specific standards and measures must be:

1. Focused on student success.
2. Addressable through policy and program changes.
3. Efficient and of high quality.
4. Measurable over time.
5. Simple to explain and display to the public.
6. Aligned with other measures and other sectors to support a coordinated Early Learning-20 K-20 education system.

(c) The Department of Education shall maintain an accountability system that measures student progress toward the following goals:
1. Highest student achievement, as indicated by evidence of student learning gains at all levels.

2. Seamless articulation and maximum access, as measured by evidence of progression, readiness, and access by targeted groups of students identified by the Commissioner of Education.

3. Skilled workforce and economic development, as measured by evidence of employment and earnings.

4. Quality efficient services, as measured by evidence of return on investment.

5. Other goals as identified by law or rule.

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. The Board of Governors shall make available to the department all data within the State University Database System to be integrated into the educational K-20 data warehouse. The commissioner shall have unlimited access to such data for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the educational K-20 data warehouse in a format based on data elements identified by the commissioner.

(a) School districts and public postsecondary educational institutions shall maintain information systems that will provide the State Board of Education, the Board of Governors of the State University System, and the Legislature with information and reports necessary to address the specifications
of the accountability system. The level of comprehensiveness and quality must be no less than that which was available as of June 30, 2001.

(b) Colleges and universities eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program shall annually report student-level data from the prior year for each student who receives state funds in a format prescribed by the Department of Education. At a minimum, data from the prior year must include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. By October 1 of each year, the colleges and universities described in this paragraph shall report the data to the department.

(c) The Commissioner of Education shall determine the standards for the required data, monitor data quality, and measure improvements. The commissioner shall report annually to the State Board of Education, the Board of Governors of the State University System, the President of the Senate, and the Speaker of the House of Representatives data quality indicators and ratings for all school districts and public postsecondary educational institutions.

(d) Before establishing any new reporting or data collection requirements, the commissioner shall use existing data being collected to reduce duplication and minimize paperwork.

(4) RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section relating to the educational K-20 data warehouse.
Section 70. Section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(1) In order to ensure compliance with law or state board rule, the State Board of Education shall have the authority to request and receive information, data, and reports from early learning coalitions, school districts, and Florida College System institutions. Early Learning Coalition chief executive officers or executive directors, district school superintendents, and Florida College System institution presidents are responsible for the accuracy of the information and data reported to the state board.

(2)(a) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. The commissioner shall report determinations of probable cause to the State Board of Education which shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with law or state board rule.

(b) The Commissioner of Education shall report to the State Board of Education any findings by the Auditor General that an early learning coalition, a district school board, or a Florida
College System institution is acting without statutory authority or contrary to general law. The State Board of Education shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with such law.

(3) If the early learning coalition, district school board, or Florida College System institution board of trustees cannot satisfactorily document compliance, the State Board of Education may order compliance within a specified timeframe.

(4) If the State Board of Education determines that an early learning coalition, a district school board, or a Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(a) Report to the Legislature that the early learning coalition, school district, or Florida College System institution is unwilling or unable to comply with law or state board rule and recommend action to be taken by the Legislature.

(b) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the early learning coalition, school district, or Florida College System institution complies with the law or state board rule.

(c) Declare the early learning coalition, school district, or Florida College System institution ineligible for competitive grants.

(d) Require monthly or periodic reporting on the situation
related to noncompliance until it is remedied.

(5) Nothing in this section shall be construed to create a private cause of action or create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

Section 71. Paragraph (a) of subsection (3) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—

(3)(a) The academic performance of all students has a significant effect on the state school system. Pursuant to Art. IX of the State Constitution, which prescribes the duty of the State Board of Education to supervise Florida’s public school system, the state board shall equitably enforce the accountability requirements of the state school system and may impose state requirements on school districts in order to improve the academic performance of all districts, schools, and students based upon the provisions of the Florida Early Learning-20 K-20 Education Code, chapters 1000-1013; the federal ESEA and its implementing regulations; and the ESEA flexibility waiver approved for Florida by the United States Secretary of Education.

Section 72. Subsection (9) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—
(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12, including certain students who exhibit a substantial deficiency in early literacy and completed the Voluntary Prekindergarten Education Program pursuant to s. 1008.25(5)(b). Each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data must use the school’s portion of the allocation to provide an additional hour per day of intensive reading instruction for the students in each school. The additional hour may be provided within the school day. Students enrolled in these schools who earned a level 4 or level 5 score on the statewide, standardized English Language Arts assessment for the previous school year may participate in the additional hour of instruction. Exceptional student education centers may not be included in the 300 schools. The intensive reading instruction delivered in this additional hour shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students’ specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading.

(b) Funds for comprehensive, research-based reading
instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district’s proportionate share of K-12 base funding.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs and certain students who exhibit a substantial deficiency in early literacy and completed the Voluntary Prekindergarten Education Program pursuant to s. 1008.25(5)(b), which may include the following:

1. An additional hour per day of evidence-based intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading as required in paragraph (a).

2. Kindergarten through grade 5 evidence-based reading intervention teachers to provide intensive reading interventions provided by reading intervention teachers intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3. Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in
scientifically based reading instruction, including strategies
to teach reading in content areas and with an emphasis on
technical and informational text, to help school district
teachers earn a certification or an endorsement in reading.

5. Summer reading camps, using only teachers or other
district personnel who are certified or endorsed in reading
consistent with s. 1008.25(7)(b)3., for all students in
kindergarten through grade 2 who demonstrate a reading
deficiency as determined by district and state assessments, and
students in grades 3 through 5 who score at Level 1 on the
statewide, standardized English Language Arts assessment, and
certain students who exhibit a substantial deficiency in early
literacy and completed the Voluntary Prekindergarten Education
Program pursuant to s. 1008.25(5)(b).

6. Scientifically researched and evidence-based
supplemental instructional materials that are grounded in
scientifically based reading research as identified by the Just
Read, Florida! Office pursuant to s. 1001.215(8).

7. Evidence-based intensive interventions for students in
kindergarten through grade 12 who have been identified as having
a reading deficiency or who are reading below grade level as
determined by the statewide, standardized English Language Arts
assessment or for certain students who exhibit a substantial
deficiency in early literacy and completed the Voluntary
Prekindergarten Education Program pursuant to s. 1008.25(5)(b).

(d)1. Annually, by a date determined by the Department of
Education but before May 1, school districts shall submit a K-12
comprehensive reading plan for the specific use of the research-
based reading instruction allocation in the format prescribed by
the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall provide for intensive reading interventions through integrated curricula, provided that, beginning with the 2020-2021 school year, the interventions are delivered by a teacher who is certified or endorsed in reading. Such interventions must incorporate evidence-based strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). No later than July 1 annually, the department shall release the school district’s allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its
findings to the Legislature.

2. Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a) shall specifically delineate in the comprehensive reading plan, or in an addendum to the comprehensive reading plan, the implementation design and reading intervention strategies that will be used for the required additional hour of reading instruction. The term “reading intervention” includes evidence-based strategies frequently used to remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

For purposes of this subsection, the term “evidence-based” means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes.

Section 73. For the 2020-2021 fiscal year, the sum of $3,088,000 in recurring funds is appropriated from the General Revenue Fund to the Department of Education to implement the coordinated screening and progress monitoring program required by s. 1008.2125, Florida Statutes. Of these funds, $3 million shall be placed in reserve. The department is authorized to submit budget amendments requesting the release of funds pursuant to chapter 216, Florida Statutes. The budget amendment shall include a detailed operational work plan and spending plan. The department shall submit quarterly updates to the plans and quarterly project status reports to the Governor’s Office of Policy and Budget and the chairs of the Senate Committee on Appropriations and the House of Representatives Appropriations.
Committee. Each status report must include progress made to date for each project activity, planned and actual tasks and deliverable completion dates, planned and actual costs incurred, and any current issues and risks.

Section 74. For the 2020-2021 fiscal year, the sum of $100,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Education to issue a competitive solicitation to contract with an independent third-party consulting firm to conduct a review of the school readiness payment rates by county, by provider type, as defined in s. 1002.88, Florida Statutes, and by care level, as defined in s. 402.305, Florida Statutes. The review shall include an evaluation of the current methodology for establishing the market rate schedule pursuant to s. 1002.895, Florida Statutes, the current school readiness payment rates, and the impact of the approved pay differentials authorized under part VI of chapter 1002, Florida Statutes, on the payment rates. The review shall include recommendations on a methodology for setting the payment rates by county, by provider type, and by care level that takes into consideration the impact that local ordinances may have on the market rate if such ordinances require more stringent staff-to-child ratios than required in s. 402.305(4), Florida Statutes, but may not consider school readiness wait lists as a factor. The department shall submit the results of the review and the recommendations to the Governor’s Office of Policy and Budget and the chairs of the Senate Committee on Appropriations and the House of Representatives Appropriations Committee by January 1, 2021.

Section 75. For the 2020-2021 fiscal year, the sum of
$677,759 in recurring funds is appropriated from the General Revenue Fund to the Department of Education to assist in the implementation of s. 1002.68(2), Florida Statutes.

Section 76. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to early learning and early grade success; amending s. 20.055, F.S.; conforming provisions to changes made by the act; amending s. 20.15, F.S.; eliminating the Office of Early Learning from the Office of Independent Education and Parental Choice of the Department of Education; establishing the Division of Early Learning within the department; amending s. 39.202, F.S.; conforming provisions to changes made by the act; amending s. 39.604, F.S.; revising approved child care or early education settings for the placement of certain children; conforming a cross-reference to changes made by the act; amending s. 212.08, F.S.; conforming provisions to changes made by the act; amending ss. 383.14, 391.308, and 402.26, F.S.; conforming provisions and cross-references to changes made by the act; transferring, renumbering, and amending s. 402.281, F.S.; revising the requirements of the Gold Seal Quality Care program; requiring the State Board of
Education to adopt specified rules; revising accrediting association requirements; providing requirements for accrediting associations; requiring the department to adopt a specified process; providing requirements for such process; deleting a requirement for the department to consult certain entities for specified purposes; providing requirements for certain providers to maintain Gold Seal Quality Care status; providing exemptions to certain ad valorem taxes; providing rate differentials to certain providers; providing for a type two transfer of the Gold Seal Quality Care program in the Department of Children and Families to the Department of Education; providing for the continuation of certain contracts and interagency agreements; amending s. 402.305, F.S.; requiring minimum child care licensing standards adopted between specified dates to be ratified by the Legislature; revising requirements relating to staff trained in cardiopulmonary resuscitation; amending s. 402.315, F.S.; conforming a cross-reference to changes made by the act; amending s. 402.56, F.S.; revising the membership of the Children and Youth Cabinet; amending ss. 411.226, 411.227, 414.295, 1000.01, 1000.02, 1000.03, 1000.04, 1000.21, 1001.02, 1001.03, 1001.10, and 1001.11, F.S.; conforming provisions and cross-references to changes made by the act; repealing s. 1001.213, F.S., relating to the Office of Early Learning; amending ss. 1001.215, 1001.23, 1001.70, 1001.706, 1002.22, 1002.32, 1002.34, and 1002.36 F.S.;
conforming provisions and cross-references to changes made by the act; amending s. 1002.53, F.S.; revising the requirements for certain program provider profiles; requiring students enrolled in the Voluntary Prekindergarten Education Program to participate in a specified screening and progress monitoring program; amending s. 1002.55, F.S.; authorizing certain child development programs operating on a military installment to be private prekindergarten providers within the Voluntary Prekindergarten Education Program; providing that a private prekindergarten provider is ineligible for participation in the program under certain circumstances; revising requirements that must be met by a prekindergarten instructor; revising requirements for specified courses for prekindergarten instructors; providing that a private school administrator who holds a specified certificate meets certain credential requirements; providing liability insurance requirements for child development programs operating on a military installment participating in the program; requiring early learning coalitions to verify private prekindergarten provider compliance with specified provisions; requiring such coalitions to remove a provider’s eligibility under specified circumstances; amending s. 1002.57, F.S.; revising the minimum standards for a credential for certain prekindergarten directors; amending s. 1002.59, F.S.; revising requirements for emergent literacy and
performance standards training courses for
prekindergarten instructors; requiring the department
to make certain courses available; amending s.
1002.61, F.S.; authorizing certain child development
programs operating on a military installment to be
private prekindergarten providers within the summer
Voluntary Prekindergarten Education Program; revising
the criteria for a teacher to receive priority for the
summer program in a school district; requiring child
development programs operating on a military
installment to comply with specified criteria;
requiring early learning coalitions to verify
specified information; providing for the removal of a
program provider from eligibility under certain
circumstances; amending s. 1002.63, F.S.; requiring
early learning coalitions to verify specified
information; providing for the removal of public
school program providers from the program under
certain circumstances; amending s. 1002.67, F.S.;
revising the performance standards for the Voluntary
Prekindergarten Education Program; requiring the
department to review and revise performance standards
on a specified schedule; revising curriculum
requirements for the program; requiring the department
to adopt procedures for the review and approval of
curricula for the program; deleting a required
preassessment and postassessment for the program;
creating s. 1002.68, F.S.; requiring providers of the
Voluntary Prekindergarten Education Program to
participate in a specified screening and progress monitoring program; providing specified uses for the results of such program; requiring certain portions of the screening and progress monitoring program to be administered by individuals who meet specified criteria; requiring the results of specified assessments to be reported to the parents of participating students; providing requirements for such assessments; providing department duties and responsibilities relating to such assessments; providing requirements for a specified methodology used to calculate the results of such assessments; requiring the department to establish a designation system for program providers; providing for the adoption of a minimum performance metric or designation for program participation; providing procedures for a provider whose score or designation falls below the minimum requirement; providing for the revocation of program eligibility for a provider; authorizing the department to grant good cause exemptions to providers under certain circumstances; providing department and provider requirements for such exemptions; repealing s. 1002.69, F.S., relating to statewide kindergarten screening and readiness rates; amending ss. 1002.71 and 1002.72, F.S.; conforming provisions to changes made by the act; amending s. 1002.73, F.S.; requiring the department to adopt a statewide provider contract; requiring such contract to be published on the department’s website;
providing requirements for such contract; prohibiting providers from offering services during an appeal of termination from the program; providing applicability; requiring the department to adopt specified procedures relating to the Voluntary Prekindergarten Education Program; providing duties of the department relating to such program; repealing s. 1002.75, F.S., relating to the powers and duties of the Office of Early Learning; repealing s. 1002.77, F.S., relating to the Florida Early Learning Advisory Council; amending ss. 1002.79 and 1002.81, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1002.82, F.S.; providing duties of the department relating to early learning; exempting certain child development programs operating on a military installment from specified inspection requirements; requiring the department to monitor specified standards and benchmarks for certain purposes; requiring the department to provide specified technical support; revising requirements for a specified assessment program; requiring the department to adopt requirements to make certain contracted slots available to serve specified populations; requiring the department to adopt procedures for the merging of early learning coalitions; revising the requirements for a specified report; amending s. 1002.83, F.S.; revising the number of authorized early learning coalitions; revising the number of and requirements for members of an early learning coalition; revising...
requirements for such coalitions; amending s. 1002.84, F.S.; revising early learning coalition responsibilities and duties; revising requirements for the waiver of specified copayments; amending s. 1002.85, F.S.; revising the requirements for school readiness program plans; amending s. 1002.88, F.S.; authorizing certain child development programs operating on military installations to participate in the school readiness program; revising requirements to deliver such a program; providing that a specified annual inspection for a child development program participating in the school readiness program meets certain provider requirements; providing requirements for a child development program to meet certain liability requirements; amending ss. 1002.89, 1002.895, and 1002.91, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1002.92, F.S.; revising the services that must be provided by child care resource and referral agencies; amending s. 1002.93, F.S.; conforming provisions to changes made by the act; repealing s. 1002.94, F.S., relating to the Child Care Executive Partnership Program; amending ss. 1002.95, 1002.96, 1002.97, 1002.995, 1003.575, and 1007.01, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 1008.2125, F.S.; creating the coordinated screening and progress monitoring program within the department for specified purposes; requiring the Commissioner of Education to design such

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program; providing requirements for the administration of such program and the use of results from the program; providing requirements for the commissioner; creating the Early Grade Success Advisory Committee; providing duties of the committee; providing for the membership of the committee; requiring the committee to elect a chair and a vice chair; providing requirements for such appointments; providing for per diem for members of the committee; providing meeting requirements for the committee; providing for a quorum of the committee; amending s. 1008.25, F.S.; authorizing certain students who enrolled in the Voluntary Prekindergarten Education Program to receive intensive reading interventions using specified funds; amending ss. 1008.31, 1008.32, and 1008.33, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; revising the research-based reading instruction allocation to authorize the use of such funds for certain intensive reading interventions for certain students; revising the requirements for specified reading instruction and interventions; defining the term “evidence-based”; providing appropriations; providing requirements for the use of such funds; providing an effective date.
Appropriations Subcommittee on Education (Harrell) recommended the following:

Senate Amendment to Amendment (324350) (with title amendment)

Delete lines 4290 - 4334.

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

And the title is amended as follows:

Delete lines 4556 - 4558

and insert:

defining the term “evidence-based”; providing an
11 effective date.
Appropriations Subcommittee on Education (Harrell) recommended the following:

**Senate Amendment to Amendment (324350)**

Delete line 2552 and insert:

report published under subsection (7). Beginning with the 2022-23 Fiscal Year, if an early learning
A bill to be entitled
An act relating to early learning and early grade
success; amending s. 20.055, F.S.; conforming
provisions to changes made by the act; amending s.
20.15, F.S.; adding the Division of Early Learning to
the divisions of the Department of Education; deleting
the Office of Early Learning from the Office of
Independent Education and Parental Choice of the
Department of Education; amending ss. 20.15, F.S.;
conforming provisions and cross-references to changes
made by the act; amending s. 1001.213, F.S., relating to the Office of
Early Learning; amending ss. 1001.215, 1001.23,
1001.70, 1002.32, 1002.34, and 1002.36, F.S.;
conforming provisions and cross-references to changes
made by the act; amending s. 1002.53, F.S.; requiring
students enrolled in the Voluntary Prekindergarten
Education Program to participate in a specified
screening and progress-monitoring program; amending s.
1002.55, F.S.; authorizing certain child development
programs operating on military installations to be
private prekindergarten providers within the Voluntary
Prekindergarten Education Program; providing that a
private prekindergarten provider is ineligible for
participation in the program under certain
circumstances; revising requirements a prekindergarten
instructor must meet; revising requirements for a
specified standards training course; providing
liability insurance requirements for child development
programs that operate on military installations and
participate in the program; requiring early learning
coalitions to verify private prekindergarten provider
compliance with specified provisions; requiring such
coalitions to remove a provider's eligibility under
specified circumstances; amending s. 1002.57, F.S.;
revising the minimum standards for a credential for
certain prekindergarten directors; amending s.
1002.59, F.S.; revising requirements for emergent
literacy and performance standards training courses
for prekindergarten instructors; requiring the
department to make certain courses available; amending
s. 1002.61, F.S.; authorizing certain child
development programs operating on military
installations to be private prekindergarten providers
within the summer Voluntary Prekindergarten Education
Program; revising the criteria for teachers to receive
priority consideration from school districts in
staffing the summer program; requiring child
development programs operating on military
installations to comply with specified criteria;
requiring early learning coalitions to verify
specified information; providing for the removal of a
program provider from eligibility under certain
circumstances; amending s. 1002.63, F.S.; revoking the
certainty of certain public schools to participate
in the program under certain circumstances; providing
for the removal of public school program providers
from the program under certain circumstances; amending
s. 1002.67, F.S.; revising the performance standards
for the Voluntary Prekindergarten Education Program;
requiring the department to review performance
standards on a specified schedule; providing
curriculum requirements for program providers;
requiring the State Board of Education to adopt rules
for the review and approval of curricula for the
program; deleting a required preassessment and
postassessment for the program; creating s. 1002.68,
F.S.; requiring providers of the Voluntary
Prekindergarten Education Program to participate in a
specified screening and progress monitoring program;
providing specified uses for the results of such
screening and progress-monitoring program; requiring
certain portions of the screening and progress-
monitoring program to be administered by individuals
who meet specified criteria; requiring the results of
specified assessments to be reported to the parents of
participating students within a certain timeframe;
providing requirements for such assessments; providing
department duties and responsibilities relating to
such assessments; providing requirements for a
specified methodology used to calculate the results of
such assessments; requiring the department to
establish a grading system for program providers;
providing for the adoption of a minimum performance
metric or grade for program participation; providing
procedures for providers whose score or grade falls
below the minimum requirement; providing for the
revocation of program eligibility for certain
providers; authorizing the department to grant good
cause exemptions to providers under certain
circumstances; providing department and provider
requirements for such exemptions; repealing s.
1002.69, F.S., relating to statewide kindergarten
screening and readiness rates; amending ss. 1002.71
and 1002.72, F.S.; conforming provisions to changes
made by the act; amending s. 1002.73, F.S.; requiring the department to adopt a specified standard statewide provider contract; requiring such contract to be published on the department’s website; providing requirements for such contract; prohibiting providers from offering services during an appeal of termination from the program; providing applicability; requiring the state board to adopt specified rules relating to the Voluntary Prekindergarten Education Program; revising duties of the department relating to the program; repealing s. 1002.75, F.S., relating to the powers and duties of the Office of Early Learning; repealing s. 1002.77, F.S., relating to the Florida Early Learning Advisory Council; amending ss. 1002.79 and 1002.81, F.S.; redefining a term; conforming provisions and cross-references to changes made by the act; amending s. 1002.82, F.S.; providing duties of the department relating to early learning; exempting certain child development programs operating on military installations from specified inspection requirements; requiring the department to monitor specified standards and benchmarks for certain purposes; requiring the department to provide specified technical support; revising requirements for a specified assessment program; requiring the department to adopt requirements to make certain contracted slots available to serve specified populations by a specified date; requiring the state board to adopt rules for merging early learning populations by a specified date; requiring the state board to adopt rules for merging early learning requirements; providing requirements for maintaining such designation; providing for an exemption from the waiver of specified copayments; deleting a provision relating to certain payment schedules; revising requirements relating to certain contracts; amending s. 1002.85, F.S.; conforming provisions to changes made by the act; amending s. 1002.88, F.S.; authorizing certain child development programs operating on military installations to participate in the school readiness program; revising requirements to deliver services for the program; providing that a specified annual inspection for child development programs operating on military installations meets certain provider requirements; providing a process for child development programs operating on military installations to meet certain liability requirements; amending ss. 1002.89, 1002.895, 1002.91, 1002.92, 1002.93, and 1002.94, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 1002.945, F.S.; establishing the Gold Seal Quality Care Program within the department; providing for the award of a Gold Seal Quality Care designation by specified accrediting associations; requiring the state board to adopt standards for the award of such designation; providing accrediting association requirements; providing requirements for maintaining such designation; providing for an exemption from
certain taxes for qualifying providers; providing for

certain child care facilities to receive a specified
rate differential; authorizing the Early Learning
Programs Estimating Conference to determine certain
rate differentials for certain school readiness
programs; requiring the state board to adopt rules;
amending ss. 1002.95, 1002.96, 1002.97, 1002.995,
1003.575, and 1007.01, F.S.; conforming provisions to
changes made by the act; creating s. 1008.2125, F.S.;
creating the coordinated screening and progress-
monitoring program within the department for specified
purposes; requiring the Commissioner of Education to
design the program; providing requirements for the
administration of the program beginning in a specified
school year; requiring results of the program to be
reported to and maintained by the department;
providing duties for the commissioner; creating the
Council for Early Grade Success; providing duties of
the council; providing membership of the council;
requiring the council to elect a chair and a vice
chair; providing for per diem for members of the
council; providing meeting requirements for the
council; providing for a quorum of the council;
amending s. 1008.25, F.S.; authorizing certain
students enrolled in the Voluntary Prekindergarten
Education Program to receive intensive reading
interventions using specified funds; amending ss.
1008.31, 1008.32, and 1008.33, F.S.; conforming
provisions to changes made by the act; amending s.
1011.62, F.S.; revising the research-based reading
instruction allocation to authorize the use of such
funds for certain intensive reading interventions for
students enrolled in the Voluntary Prekindergarten
Education Program; amending ss. 1002.22 and 1002.53,
F.S.; conforming cross-references; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraphs (a) and (d) of subsection (1) of
section 20.055, Florida Statutes, are amended to read:

20.055 Agency inspectors general.—
(1) As used in this section, the term:
(a) "Agency head" means the Governor, a Cabinet officer, or
a secretary or executive director as those terms are defined in
s. 20.03, the chair of the Public Service Commission, the
Director of the Office of Insurance Regulation of the Financial
Services Commission, the Director of the Office of Financial
Regulation of the Financial Services Commission, the board of
directors of the Florida Housing Finance Corporation, the
executive director of the Office of Early Learning, and the
Chief Justice of the State Supreme Court.
(d) "State agency" means each department created pursuant
to this chapter and the Executive Office of the Governor, the
Department of Military Affairs, the Fish and Wildlife
Conservation Commission, the Office of Insurance Regulation of
the Financial Services Commission, the Office of Financial
Regulation of the Financial Services Commission, the Public
Section 2. Present paragraphs (c) through (j) of subsection (3) of section 20.15, Florida Statutes, are redesignated as paragraphs (d) through (k), respectively, a new paragraph (c) is added to subsection (3), and present paragraph (i) of subsection (3) and subsection (5) of that section are amended, to read:

20.15 Department of Education.—There is created a Department of Education.

(3) DIVISIONS.—The following divisions of the Department of Education are established:

(c) Division of Early Learning.

(j) The Office of Independent Education and Parental Choice, which must include the following offices:

1. The Office of Early Learning, which shall be administered by an executive director who is fully accountable to the Commissioner of Education. The executive director shall, pursuant to s. 1001.213, administer the early learning programs, including the school readiness program and the Voluntary Prekindergarten Education Program at the state level.

2. The Office of K-12 School Choice, which shall be administered by an executive director who is fully accountable to the Commissioner of Education.

(5) POWERS AND DUTIES.—The State Board of Education and the Commissioner of Education shall assign to the divisions such powers, duties, responsibilities, and functions as are necessary to ensure the greatest possible coordination, efficiency, and effectiveness of education for students in Early Learning—20 K-261

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Section 5. Paragraph (m) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

Section 4. Paragraph (b) of subsection (5) of section 39.604, Florida Statutes, is amended to read:

(5) EDUCATIONAL STABILITY.—Just as educational stability is important for school-age children, it is also important to minimize disruptions to secure attachments and stable relationships with supportive caregivers of children from birth to school age and to ensure that these attachments are not disrupted due to placement in out-of-home care or subsequent changes in out-of-home placement.

(b) If it is not in the best interest of the child for him or her to remain in his or her child care or early education setting upon entry into out-of-home care, the caregiver must work with the case manager, guardian ad litem, child care and educational staff, and educational surrogate, if one has been appointed, to determine the best setting for the child. Such setting may be a child care provider that receives a Gold Seal Quality Care designation pursuant to s. 1002.945, a provider participating in a quality rating system, a licensed child care provider, a public school provider, or a license-exempt child care provider, including religious-exempt and registered providers, and nonpublic schools.

Section 5. Paragraph (m) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.
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1002.87 and of children eligible for the Voluntary
Prekindergarten Education Program in accordance with s.
1002.53(2); review and verify the procedures and data used by
the Department of Education for the adoption of the market rate
schedule under s. 1002.895; determine base payment rates and the
application of legislatively approved differentials under part
VI of chapter 1002 by county, care level, and provider type that
ensure reasonable access to quality early learning settings in
each county and that shall be implemented by each early learning
coalition and used in any school readiness program funding
formula; verify all data sources and calculations used to
determine funding recommendations by county for the school
readiness program and the Voluntary Prekindergarten Education
Program before submission of any legislative budget request; and
meet at least biannually, as the conference determines are
needed to support the state planning, budgeting, and
appropriations processes.

(b) The department Office of Early Learning shall provide
any reasonably related information for the conference or its
principals to be able to complete the duties listed in paragraph
(a) on needs and waiting lists for school readiness programs,
and information on the needs for the Voluntary Prekindergarten
Education Program, as requested by the Early Learning Programs
Estimating Conference or individual conference principals in a
timely manner.

Section 7. Paragraph (b) of subsection (1) and paragraph
(b) of subsection (2) of section 383.14, Florida Statutes, are
amended to read:

383.14 Screening for metabolic disorders, other hereditary
and congenital disorders, and environmental risk factors.—

(1) SCREENING REQUIREMENTS.—To help ensure access to the
maternal and child health care system, the Department of Health
shall promote the screening of all newborns born in Florida for
metabolic, hereditary, and congenital disorders known to result
in significant impairment of health or intellect, as screening
programs accepted by current medical practice become available
and practical in the judgment of the department. The department
shall also promote the identification and screening of all
newborns in this state and their families for environmental risk
factors such as low income, poor education, maternal and family
stress, emotional instability, substance abuse, and other high-
risk conditions associated with increased risk of infant
mortality and morbidity to provide early intervention,
remediation, and prevention services, including, but not limited
to, parent support and training programs, home visitation, and
case management. Identification, perinatal screening, and
intervention efforts shall begin prior to and immediately
following the birth of the child by the attending health care
provider. Such efforts shall be conducted in hospitals,
perinatal centers, county health departments, school health
programs that provide prenatal care, and birthing centers, and
reported to the Office of Vital Statistics.

(b) Postnatal screening.—A risk factor analysis using the
department’s designated risk assessment instrument shall also be
conducted as part of the medical screening process upon the
birth of a child and submitted to the department’s Office of
Vital Statistics for recording and other purposes provided for
in this chapter. The department’s screening process for risk

CODING: Words [ ] are deletions; words [ ] are additions.
assessments shall include a scoring mechanism and procedures that establish thresholds for notification, further assessment, referral, and eligibility for services by professionals or paraprofessionals consistent with the level of risk. Procedures for developing and using the screening instrument, notification, referral, and care coordination services, reporting requirements, management information, and maintenance of a computer-driven registry in the Office of Vital Statistics which ensures privacy safeguards must be consistent with the provisions and plans established under chapter 411, Pub. L. No. 99-457, and this chapter. Procedures established for reporting information and maintaining a confidential registry must include a mechanism for a centralized information depository at the state and county levels. The department shall coordinate with existing risk assessment systems and information registries. The department must ensure, to the maximum extent possible, that the screening information registry is integrated with the department’s automated data systems, including the Florida Online Recipient Integrated Data Access (FLORIDA) system. Tests and screenings must be performed by the State Public Health Laboratory, in coordination with Children’s Medical Services, at such times and in such manner as is prescribed by the department after consultation with the Genetics and Newborn Screening Advisory Council and the Department of Education Office of Early Learning.

(2) RULES.—

(a) After consultation with the Department of Education Office of Early Learning, the department shall adopt and enforce rules requiring every newborn in this state to be screened for environmental risk factors that place children and their families at risk for increased morbidity, mortality, and other negative outcomes.

Section 8. Paragraph (h) of subsection (2) of section 391.308, Florida Statutes, is amended to read:

391.308 Early Steps Program.—The department shall implement and administer part C of the federal Individuals with Disabilities Education Act (IDEA), which shall be known as the “Early Steps Program.”

(2) DUTIES OF THE DEPARTMENT.—The department shall:

(h) Promote interagency cooperation and coordination, with the Medicaid program, the Department of Education program pursuant to part B of the federal Individuals with Disabilities Education Act, and programs providing child screening such as the Florida Diagnostic and Learning Resources System, the Office of Early Learning, Healthy Start, and the Help Me Grow program.

1. Coordination with the Medicaid program shall be developed and maintained through written agreements with the Agency for Health Care Administration and Medicaid managed care organizations as well as through active and ongoing communication with these organizations. The department shall assist local program offices to negotiate agreements with Medicaid managed care organizations in the service areas of the local program offices. Such agreements may be formal or informal.

2. Coordination with education programs pursuant to part B of the federal Individuals with Disabilities Education Act shall be developed and maintained through written agreements with the Department of Education. The department shall assist local
program offices to negotiate agreements with school districts in the service areas of the local program offices.

Section 9. Subsection (6) of section 402.26, Florida Statutes, is amended to read:

402.26 Child care; legislative intent.—

(6) It is the intent of the Legislature that a child care facility licensed pursuant to s. 402.305 or a child care facility exempt from licensing pursuant to s. 402.316, that achieves Gold Seal Quality status pursuant to s. 1002.945, be considered an educational institution for the purpose of qualifying for exemption from ad valorem tax pursuant to s. 196.198.

Section 10. Section 402.281, Florida Statutes, is repealed.

Section 11. Paragraph (c) of subsection (1) and paragraph (a) of subsection (7) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

(1) LICENSING STANDARDS.—The department shall establish licensing standards that each licensed child care facility must meet regardless of the origin or source of the fees used to operate the facility or the type of children served by the facility.

(c) The minimum standards for child care facilities shall be adopted in the rules of the department and shall address the areas delineated in this section. The department, in adopting rules to establish minimum standards for child care facilities, shall recognize that different age groups of children may require different standards. The department may adopt different minimum standards for facilities that serve children in different age groups, including school-age children. The department shall also adopt by rule a definition for child care which distinguishes between child care programs that require child care licensure and after-school programs that do not require licensure. Notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care and may not exceed standards expressly set forth in ss. 402.301-402.319. Licensing standards adopted by the department on or after July 1, 2020, must be ratified by the Legislature.

After-school programs that otherwise meet the criteria for exclusion from licensure may provide snacks and meals through the federal Afterschool Meal Program (AMP) administered by the Department of Health in accordance with federal regulations and standards. The Department of Health shall consider meals to be provided through the AMP only if the program is actively participating in the AMP, is in good standing with the department, and the meals meet AMP requirements. Standards, at a minimum, shall allow for a credentialed director to supervise multiple before-school and after-school sites.

(7) SANITATION AND SAFETY.—

(a) Minimum standards shall include requirements for sanitary and safety conditions, first aid treatment, emergency procedures, and pediatric cardiopulmonary resuscitation. The minimum standards shall require that at least one staff person trained in cardiopulmonary resuscitation, as evidenced by current documentation of course completion, must be present at all times that children are present.
Section 12. Subsection (5) of section 402.315, Florida Statutes, is amended to read:

402.315 Funding; license fees.—
(5) All moneys collected by the department for child care licensing shall be held in a trust fund of the department to be reallocated to the department during the following fiscal year to fund child care licensing activities, including the Gold Seal Quality Care program created pursuant to s. 1002.945 as 402.281.

Section 13. Paragraph (a) of subsection (4) of section 402.56, Florida Statutes, is amended to read:

402.56 Children’s cabinet; organization; responsibilities; annual report.—
(4) MEMBERS.—The cabinet shall consist of 16 members including the Governor and the following persons:
(a)1. The Secretary of Children and Families;
2. The Secretary of Juvenile Justice;
3. The director of the Agency for Persons with Disabilities;
4. A representative from the Division of Early Learning;
5. The State Surgeon General;
6. The Secretary of Health Care Administration;
7. The Commissioner of Education;
8. The director of the Statewide Guardian Ad Litem Office;
9. A representative of the Office of Adoption and Child Protection;
10. A superintendent of schools, appointed by the Governor; and
11. Five members who represent children and youth advocacy organizations and who are not service providers, appointed by the Governor.

Section 14. Paragraph (e) of subsection (2) of section 411.226, Florida Statutes, is amended to read:

411.226 LEARNING GATEWAY.—
(2) LEARNING GATEWAY STEERING COMMITTEE.—
(e) To support and facilitate system improvements, the steering committee must consult with representatives from the Department of Education, the Department of Health, the Office of Early Learning, the Department of Children and Families, the Agency for Health Care Administration, the Department of Juvenile Justice, and the Department of Corrections and with the director of the Learning Development and Evaluation Center of Florida Agricultural and Mechanical University.

Section 15. Paragraph (d) of subsection (1), paragraph (a) of subsection (2), and paragraph (c) of subsection (3) of section 411.227, Florida Statutes, are amended to read:

411.227 Components of the Learning Gateway.—The Learning Gateway system consists of the following components:
(1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED ACCESS.—
(d) In collaboration with other local resources, the demonstration projects shall develop public awareness strategies to disseminate information about developmental milestones, precursors of learning problems and other developmental delays, and the service system that is available. The information should target parents of children from birth through age 9 and should be distributed to parents, health care providers, and caregivers of children from birth through age 9. A variety of media should
be used as appropriate, such as print, television, radio, and a community-based Internet website, as well as opportunities such as those presented by parent visits to physicians for well-child checkups. The Learning Gateway Steering Committee shall provide technical assistance to the local demonstration projects in developing and distributing educational materials and information.

1. Public awareness strategies targeting parents of children from birth through age 5 shall be designed to provide information to public and private preschool programs, child care providers, pediatricians, parents, and local businesses and organizations. These strategies should include information on the school readiness performance standards adopted by the Department of Education Office of Early Learning.

2. Public awareness strategies targeting parents of children from ages 6 through 9 must be designed to disseminate training materials and brochures to parents and public and private school personnel, and must be coordinated with the local school board and the appropriate school advisory committees in the demonstration projects. The materials should contain information on state and district proficiency levels for grades K-3.

(2) SCREENING AND DEVELOPMENTAL MONITORING.—
(a) In coordination with the Office of Early Learning, the Department of Education, and the Florida Pediatric Society, and using information learned from the local demonstration projects, the Learning Gateway Steering Committee shall establish guidelines for screening children from birth through age 9. The guidelines should incorporate recent research on the indicators most likely to predict early learning problems, mild developmental delays, child-specific precursors of school failure, and other related developmental indicators in the domains of cognition; communication; attention; perception; behavior; and social, emotional, sensory, and motor functioning.

(c) The steering committee, in cooperation with the Department of Children and Families and the Department of Education, and the Office of Early Learning, shall identify the elements of an effective research-based curriculum for early care and education programs.

Section 16. Subsection (1) of section 414.295, Florida Statutes, is amended to read:

414.295 Temporary cash assistance programs; public records exemption.—
(1) Personal identifying information of a temporary cash assistance program participant, a participant’s family, or a participant’s family or household member, except for information identifying a parent who does not live in the same home as the child, which is held by the department, the Office of Early Learning, CareerSource Florida, Inc., the Department of Health, the Department of Revenue, the Department of Education, or a local workforce development board or local committee created pursuant to s. 445.007 is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such confidential and exempt information may be released for purposes directly connected with:

(a) The administration of the temporary assistance for needy families plan under Title IV-A of the Social Security Act,
(f) The administration of the reemployment assistance program.

(b) The administration of the state’s plan or program approved under Title IV-B, Title IV-D, or Title IV-E of the Social Security Act, as amended, or under Title I, Title X, Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the Social Security Act, as amended.

c) An investigation, prosecution, or criminal, civil, or administrative proceeding conducted in connection with the administration of any of the plans or programs specified in paragraph (a) or paragraph (b) by a federal, state, or local governmental entity, upon request by that entity, if such request is made pursuant to the proper exercise of that entity’s duties and responsibilities.

d) The administration of any other state, federal, or federally assisted program that provides assistance or services on the basis of need, in cash or in kind, directly to a participant.

(e) An audit or similar activity, such as a review of expenditure reports or financial review, conducted in connection with the administration of plans or programs specified in paragraph (a) or paragraph (b) by a governmental entity authorized by law to conduct such audit or activity.

(f) The administration of the reemployment assistance program.

(g) The reporting to the appropriate agency or official of information about known or suspected instances of physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child or elderly person receiving assistance, if circumstances indicate that the health or welfare of the child or elderly person is threatened.

(h) The administration of services to elderly persons under ss. 430.601-430.606.

Section 17. Section 1000.01, Florida Statutes, is amended to read:

1000.01 The Florida Early Learning-20 education system; technical provisions.—

1. NAME.—Chapters 1000 through 1013 shall be known and cited as the “Florida Early Learning-20 Education Code.”

2. LIBERAL CONSTRUCTION.—The provisions of the Florida Early Learning-20 Education Code shall be liberally construed to the end that its objectives may be effected. It is the legislative intent that if any section, subsection, sentence, clause, or provision of the Florida Early Learning-20 Education Code is held invalid, the remainder of the code shall not be affected.

3. PURPOSE.—The purpose of the Florida Early Learning-20 Education Code is to provide by law for a state system of schools, courses, classes, and educational institutions and services adequate to allow, for all Florida’s students, the opportunity to obtain a high quality education. The Florida Early Learning-20 education system is established to accomplish this purpose; however, nothing in this code shall be construed to require the provision of free public education.
beyond grade 12.

4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
required by s. 1, Art. IX of the State Constitution, the Florida
Early Learning-20 education system shall include the
uniform system of free public K-12 schools. These public K-12
schools shall provide 13 consecutive years of instruction,
beginning with kindergarten, and shall also provide such
instruction for students with disabilities, gifted students,
limited English proficient students, and students in Department
of Juvenile Justice programs as may be required by law. The
funds for support and maintenance of the uniform system of free
public K-12 schools shall be derived from state, district,
federal, and other lawful sources or combinations of sources,
including any fees charged nonresidents as provided by law.
Section 18. Subsection (2) of section 1000.02, Florida
Statutes, is amended to read:
1000.02 Policy and guiding principles for the Florida K-20
education system.—
(2) The guiding principles for Florida’s Early Learning-20
education system are:
(a) A coordinated, seamless system for kindergarten through
graduate school education.
(b) A system that is student-centered in every facet.
(c) A system that maximizes education access and allows the
opportunity for a high quality education for all Floridians.
(d) A system that safeguards equity and supports academic
excellence.
(e) A system that provides for local operational
flexibility while promoting accountability for student
achievement and improvement.

Section 19. Section 1000.03, Florida Statutes, is amended
to read:
1000.03 Function, mission, and goals of the Florida Early
Learning-20 education system.—
1) Florida’s Early Learning-20 education system shall
be a decentralized system without excess layers of bureaucracy.
Florida’s Early Learning-20 education system shall maintain
a systemwide technology plan based on a common set of data
definitions.
2(a) The Legislature shall establish education policy,
enact education laws, and appropriate and allocate education
resources.
(b) With the exception of matters relating to the State
University System, the State Board of Education shall oversee
the enforcement of all laws and rules, and the timely provision
of direction, resources, assistance, intervention when needed,
and strong incentives and disincentives to force accountability
for results.
(c) The Board of Governors shall oversee the enforcement of
all state university laws and rules and regulations and the
timely provision of direction, resources, assistance,
intervention when needed, and strong incentives and
disincentives to force accountability for results.
3) Public education is a cooperative function of the state
and local educational authorities. The state retains
responsibility for establishing a system of public education
through laws, standards, and rules to assure efficient operation
of an Early Learning-20 system of public education and
The mission of Florida’s Early Learning-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities, in accordance with the mission statement and accountability requirements of s. 1008.31.

The priorities of Florida’s Early Learning-20 education system include:

(a) Learning and completion at all levels, including increased high school graduation rate and readiness for postsecondary education without remediation.—All students demonstrate increased learning and completion at all levels, graduate from high school, and are prepared to enter postsecondary education without remediation.

(b) Student performance.—Students demonstrate that they meet the expected academic standards consistently at all levels of their education.

(c) Civic literacy.—Students are prepared to become civically engaged and knowledgeable adults who make positive contributions to their communities.

(d) Alignment of standards and resources.—Academic standards for every level of the Early Learning-20 education system are aligned, and education financial resources are aligned with student performance expectations at each level.

(e) Educational leadership.—The quality of educational leadership at all levels of Early Learning-20 education is improved.

(f) Workforce education.—Workforce education is appropriately aligned with the skills required by the new global economy.

(g) Parental, student, family, educational institution, and community involvement.—Parents, students, families, educational institutions, and communities are collaborative partners in education, and each plays an important role in the success of individual students. Therefore, the State of Florida cannot be the guarantor of each individual student’s success. The goals of Florida’s Early Learning-20 education system are not guarantees that each individual student will succeed or that each individual school will perform at the level indicated in the goals.

(h) Comprehensive K-20 career and education planning.—It is essential that Florida’s Early Learning-20 education system better prepare all students at every level for the transition from school to postsecondary education or work by providing information regarding:

1. Career opportunities, educational requirements associated with each career, educational institutions that prepare students to enter each career, and student financial aid available to pursue postsecondary instruction required to enter each career.

2. How to make informed decisions about the program of study that best addresses the students’ interests and abilities.
while preparing them to enter postsecondary education or the workforce.

3. Recommended coursework and programs that prepare students for success in their areas of interest and ability.

This information shall be provided to students and parents through websites, handbooks, manuals, or other regularly provided communications.

Section 20. Section 1000.04, Florida Statutes, is amended to read:

1000.04 Components for the delivery of public education within the Florida Early Learning-20 education system.- Florida’s Early Learning-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

(1) EARLY LEARNING.-Early learning includes the Voluntary Prekindergarten Education Program and the school readiness program.

(2) PUBLIC K-12 SCHOOLS.—The public K-12 schools include charter schools and consist of kindergarten classes; elementary, middle, and high school grades and special classes; virtual instruction programs; workforce education; career centers; adult, part-time, and evening schools, courses, or classes, as authorized by law to be operated under the control of district school boards; and lab schools operated under the control of state universities.

(3) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—Public postsecondary educational institutions include workforce education; Florida College System institutions; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law.

(4) FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The Florida School for the Deaf and the Blind is a component of the delivery of public education within Florida’s Early Learning-20 education system.

(5) THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual School is a component of the delivery of public education within Florida’s Early Learning-20 education system.

Section 21. Section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 Education Code:

(1) “Articulation” is the systematic coordination that provides the means by which students proceed toward their educational objectives in as rapid and student-friendly manner as their circumstances permit, from grade level to grade level, from elementary to middle to high school, to and through postsecondary education, and when transferring from one educational institution or program to another.

(2) “Commissioner” is the Commissioner of Education.

(3) “Florida College System institution” except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida...
College System and any branch campuses, centers, or other affiliates of the institution:

(a) Eastern Florida State College, which serves Brevard County.
(b) Broward College, which serves Broward County.
(c) College of Central Florida, which serves Citrus, Levy, and Marion Counties.
(d) Chipola College, which serves Calhoun, Holmes, Jackson, Liberty, and Washington Counties.
(e) Daytona State College, which serves Flagler and Volusia Counties.
(f) Florida SouthWestern State College, which serves Charlotte, Collier, Glades, Hendry, and Lee Counties.
(g) Florida State College at Jacksonville, which serves Duval and Nassau Counties.
(h) The College of the Florida Keys, which serves Monroe County.
(i) Gulf Coast State College, which serves Bay, Franklin, and Gulf Counties.
(j) Hillsborough Community College, which serves Hillsborough County.
(k) Indian River State College, which serves Indian River, Martin, Okeechobee, and St. Lucie Counties.
(l) Florida Gateway College, which serves Baker, Columbia, Dixie, Gilchrist, and Union Counties.
(m) Lake-Sumter State College, which serves Lake and Sumter Counties.
(n) State College of Florida, Manatee-Sarasota, which serves Manatee and Sarasota Counties.

(o) Miami Dade College, which serves Miami-Dade County.
(p) North Florida College, which serves Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
(q) Northwest Florida State College, which serves Okaloosa and Walton Counties.
(r) Palm Beach State College, which serves Palm Beach County.
(s) Pasco-Hernando State College, which serves Hernando and Pasco Counties.
(t) Pensacola State College, which serves Escambia and Santa Rosa Counties.
(u) Polk State College, which serves Polk County.
(v) St. Johns River State College, which serves Clay, Putnam, and St. Johns Counties.
(w) St. Petersburg College, which serves Pinellas County.
(x) Santa Fe College, which serves Alachua and Bradford Counties.
(y) Seminole State College of Florida, which serves Seminole County.
(z) South Florida State College, which serves DeSoto, Hardee, and Highlands Counties.
(aa) Tallahassee Community College, which serves Gadsden, Leon, and Wakulla Counties.
(bb) Valencia College, which serves Orange and Osceola Counties.

(4) "Department" is the Department of Education.
(5) "Parent" is either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student.
The State Board of Education has the following duties:

(2) To adopt and submit to the Governor and Legislature, as provided in s. 216.023, a coordinated Early Learning-20 public education budget that estimates the expenditure requirements for the Board of Governors, as provided in s. 1001.706, the State Board of Education, including the Department of Education and the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the Board of Governors, as provided in s. 1001.706, or the State Board of Education for the ensuing fiscal year. The State Board of Education may not amend the budget request submitted by the Board of Governors. Any program recommended by the Board of Governors or the State Board of Education which will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(s) To establish a detailed procedure for the implementation and operation of a systemwide technology plan that is based on a common set of data definitions.

Section 23. Subsections (8) and (9) of section 1001.03, Florida Statutes, are amended to read:

(8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education has the following duties:

(1) The State Board of Education is the chief implementing and coordinating body of public education in Florida except for the State University System, and it shall focus on high-level policy decisions. It has authority to adopt rules pursuant to

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shall enforce compliance with law and state board rule by all school districts, early learning coalitions, and public postsecondary educational institutions, except for the State University System, in accordance with the provisions of s. 1008.32.

(9) MANAGEMENT INFORMATION DATABASES.—The State Board of Education, in conjunction with the Board of Governors regarding the State University System, shall continue to collect and maintain, at a minimum, the management information databases for state universities, and all other components of the public Early Learning-20 education system as such databases existed on June 30, 2002.

Section 24. Subsection (l), paragraphs (g), (k), and (l) of subsection (6), and subsection (8) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(1) The Commissioner of Education is the chief educational officer of the state and the sole custodian of the Educational data warehouse, and is responsible for giving full assistance to the State Board of Education in enforcing compliance with the mission and goals of the Early Learning-20 education system, except for the State University System.

(6) Additionally, the commissioner has the following general powers and duties:

(g) To submit to the State Board of Education, on or before October 1 of each year, recommendations for a coordinated Early Learning-20 education budget that estimates the expenditures for the Board of Governors, the State Board of

Education, including the Department of Education and the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the Board of Governors or the State Board of Education for the ensuing fiscal year. Any program recommended to the State Board of Education that will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(k) To prepare, publish, and disseminate user-friendly materials relating to the state’s education system, including the state’s K-12 scholarship programs, the school readiness program, and the Voluntary Prekindergarten Education Program.

(l) To prepare and publish annually reports giving statistics and other useful information pertaining to the state’s K-12 scholarship programs, the school readiness program, and the Voluntary Prekindergarten Education Program.

(8) In the event of an emergency situation, the commissioner may coordinate through the most appropriate means of communication with early learning coalitions, local school districts, Florida College System institutions, and satellite offices of the Division of Blind Services and the Division of Vocational Rehabilitation to assess the need for resources and assistance to enable each school, institution, or satellite office the ability to reopen as soon as possible after considering the health, safety, and welfare of students and clients.

Section 25. Paragraph (b) of subsection (1) and subsection (4) of section 1001.11, Florida Statutes, are amended to read:

1001.11 Commissioner of Education; other duties.—

(1) The Commissioner of Education must independently
perform the following duties:

(b) Serve as the primary source of information to the Legislature, including the President of the Senate and the Speaker of the House of Representatives, concerning the State Board of Education, the Early Learning-20 education system, and early learning programs.

(4) The commissioner shall develop and implement an integrated Early Learning-20 information system for educational management in accordance with the requirements of chapter 1008.

Section 26. Section 1001.213, Florida Statutes, is amended to read:

Section 1001.213, Florida Statutes, as amended by section 29 of chapter 2020, Laws of Florida, is amended to read:

Section 27. Subsection (7) of section 1001.215, Florida Statutes, is amended to read:

1001.215 Just Read, Florida! Office.—There is created in the Department of Education the Just Read, Florida! Office. The office is fully accountable to the Commissioner of Education and shall:

(7) Review, evaluate, and provide technical assistance to school districts’ implementation of the comprehensive reading plan required in s. 1011.62(9).

Section 28. Subsection (1) of section 1001.23, Florida Statutes, is amended to read:

1001.23 Specific powers and duties of the Department of Education.—In addition to all other duties assigned to it by law or by rule of the State Board of Education, the department shall:

(1) Adopt the statewide kindergarten screening in accordance with s. 1002.69.
Board of Education. Each lab school shall develop and implement a school improvement plan pursuant to s. 1003.02(3).

(b) Research, demonstration, and evaluation conducted at a lab school may be generated by the college of education and other colleges within the university with which the school is affiliated.

(c) Research, demonstration, and evaluation conducted at a lab school may be generated by the State Board of Education. Such research shall respond to the needs of the community at large, rather than the specific needs of the affiliated college.

(d) Research, demonstration, and evaluation conducted at a lab school may consist of pilot projects to be generated by the affiliated college, the State Board of Education, or the Legislature.

(e) The exceptional education programs offered at a lab school shall be determined by the research and evaluation goals and the availability of students for efficiently sized programs.

The fact that a lab school offers an exceptional education program in no way lessens the general responsibility of the local school district to provide exceptional education programs.

(10) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(1), the following exceptions shall be permitted for lab schools:

(a) The methods and requirements of the following statutes shall be held in abeyance: ss. 316.75; 1001.30; 1001.31; 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362; 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46; 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48; 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72; 1011.73; and 1011.74.

(b) With the exception of s. 1001.42(18), s. 1001.42 shall be held in abeyance. Reference to district school boards in s. 1001.42(18) shall mean the president of the university or the president’s designee.

Section 31. Paragraph (b) of subsection (10) of section 1002.34, Florida Statutes, is amended to read:

1002.34 Charter technical career centers.—

(10) EXEMPTION FROM STATUTES.—

(b) A center must comply with the Florida Early Learning-20 Education Code with respect to providing services to students with disabilities.

Section 32. Subsection (1) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—

(1) RESPONSIBILITIES.—The Florida School for the Deaf and the Blind, located in St. Johns County, is a state-supported residential public school for hearing-impaired and visually impaired students in preschool through 12th grade. The school is a component of the delivery of public education within Florida’s Early Learning-20 education system and shall be funded through the Department of Education. The school shall provide...
(5) The early learning coalition shall provide each parent a private prekindergarten provider must meet each of the following requirements:

(a) The private prekindergarten provider must be a child

(b) The application must be submitted on forms prescribed by the department Office of Early Learning and must be accompanied by a certified copy of the child’s birth certificate. The forms must include a certification, in substantially the form provided in s. 1002.71(6)(b)2., that the parent chooses the private prekindergarten provider or public school in accordance with this section and directs that payments for the program be made to the provider or school. The department Office of Early Learning may authorize alternative methods for submitting proof of the child’s age in lieu of a certified copy of the child’s birth certificate.

(c) The provider’s or school’s services, curriculum, and instruction must be

(d) Each parent who enrolls his or her child in the Voluntary Prekindergarten Education Program must allow his or her child to participate in the coordinated screening and progress-monitoring program under s. 1008.2125.

Section 34. Paragraphs (a), (b), (c), (e), (g), (h), (i), (j), and (l) of subsection (3), subsection (4), and paragraph (b) of subsection (5) of section 1002.55, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

(5) The early learning coalition shall provide each parent a private prekindergarten provider must be a child...
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Education Program, as verified by the early learning coalition, that the provider meets each of the requirements of the program under this part, including, but not limited to, the requirements for credentials and background screenings of prekindergarten instructors under paragraphs (c) and (d), minimum and maximum class sizes under paragraph (f), prekindergarten director credentials under paragraph (g), and a developmentally appropriate curriculum under s. 1002.67(2)(b).

(c) The private prekindergarten provider must have, for each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor who meets each of the following requirements:

1. The prekindergarten instructor must hold, at a minimum, one of the following credentials:
   a. A child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition; or
   b. A credential approved by the Department of Children and Families as being equivalent to or greater than the credential described in sub-subparagraph a.

The Department of Children and Families may adopt rules under ss. 120.536(1) and 120.54 which provide criteria and procedures for approving equivalent credentials under sub-subparagraph b.

2. The prekindergarten instructor must successfully complete at least three emergent literacy training courses and a student performance standards training course approved by the department office as meeting or exceeding the minimum standards adopted under s. 1002.59. The requirement for

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(e) A private prekindergarten provider may assign a substitute instructor to temporarily replace a credentialed instructor if the credentialed instructor assigned to a prekindergarten class is absent, as long as the substitute instructor is of good moral character and has been screened before employment in accordance with level 2 background screening requirements in chapter 435. The department Office of Early Learning shall adopt rules to implement this paragraph which shall include required qualifications of substitute instructors and the circumstances and time limits for which a private prekindergarten provider may assign a substitute instructor.

(g) The private prekindergarten provider must have a prekindergarten director who has a prekindergarten director credential that is approved by the department as meeting or exceeding the minimum standards adopted under s. 1002.57. Successful completion of a child care facility director credential under s. 402.105(2)(g) before the establishment of the prekindergarten director credential under s. 1002.57 or July 1, 2006, whichever occurs later, satisfies the requirement for a prekindergarten director credential under this paragraph.

(h) The private prekindergarten provider must register with the early learning coalition on forms prescribed by the department Office of Early Learning.

(i) The private prekindergarten provider must execute the statewide provider contract prescribed under s. 1002.73.

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Notwithstanding any other provision of law, if a private prekindergarten provider has been cited for a Class I violation, as defined by rule by the Child Care Services Program Office of the Department of Children and Families, the coalition may refuse to contract with the provider.

(6) Each early learning coalition must verify that each prekindergarten provider delivering the Voluntary Prekindergarten Education Program within the coalition’s county or multicounty region complies with this part. If a private prekindergarten provider fails or refuses to comply with this part or if a provider engages in misconduct, the department shall require the early learning coalition to remove the provider from eligibility to deliver the program and receive state funds under this part for a period of at least 2 years but not more than 5 years.

Section 35. Present paragraphs (b) and (c) of subsection (2) of section 1002.57, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, a new paragraph (b) is added to that subsection, and subsection (1) of that section is amended, to read:

1002.57 Prekindergarten director credential.—

(1) The department, in consultation with the Department of Children and Families, shall adopt minimum standards for a credential for prekindergarten directors of private prekindergarten providers delivering the Voluntary Prekindergarten Education Program. The credential must encompass requirements for education and onsite experience.

(2) The educational requirements must include training in the following:

(a) Professionally accepted standards for prekindergarten education, prekindergarten or primary education, preschool education, or family and consumer science;

(b) A bachelor’s or higher degree in elementary education, if the prekindergarten instructor has been certified to teach children any age from birth through 6th grade, regardless of whether the instructor’s educator certificate is current, and if the instructor is not ineligible to teach in a public school because his or her educator certificate is suspended or revoked;

(c) An associate’s or higher degree in child development;

(d) An associate’s or higher degree in an unrelated field, at least 6 credit hours in early childhood education or child development, and at least 480 hours of experience in teaching or providing child care services for children any age from birth through 8 years of age; or

(e) An educational credential approved by the department as being equivalent to or greater than an educational credential described in this subsection. The department may adopt criteria and procedures for approving equivalent educational credentials under this paragraph.

(5) Notwithstanding any other provision of law, if a
programs, early learning, and strategies and techniques to
address the age-appropriate progress of prekindergarten students
in attaining the performance standards adopted by the department
under s. 1002.67;
    (b) Implementation of curriculum and usage of student-level
data to inform the delivery of instruction;
    (c) Strategies that allow students with disabilities and
other special needs to derive maximum benefit from the Voluntary
Prekindergarten Education Program; and
    (d) Program administration and operations, including
management, organizational leadership, and financial and legal
issues.
    Section 36. Section 1002.59, Florida Statutes, is amended
to read:
    1002.59 Emergent literacy and performance standards
training courses.—
    (1) The department office shall adopt minimum standards for
one or more training courses in emergent literacy for
prekindergarten instructors. Each course must comprise 5 clock
hours and provide instruction in strategies and techniques to
address the age-appropriate progress of prekindergarten students
in developing emergent literacy skills, including oral
communication, knowledge of print and letters, phonemic and
phonological awareness, and vocabulary and comprehension
development. Each course must also provide resources containing
strategies that allow students with disabilities and other
special needs to derive maximum benefit from the Voluntary
Prekindergarten Education Program. Successful completion of an
emergent literacy training course approved under this section
satisfies requirements for approved training in early literacy
and language development under ss. 402.305(2)(e)5., 402.313(6),
and 402.3131(5).
    (2) The department office shall adopt minimum standards for
one or more training courses on the performance standards
adopted under s. 1002.67(1). Each course must consist of
comprise at least 3 clock hours, provide instruction in
strategies and techniques to address age-appropriate progress of
each child in attaining the standards, and be available online.
    (3) The department shall make available online professional
development and training courses consisting of at least 8 clock
hours that support prekindergarten instructors in increasing the
competency of teacher-child interactions.
    Section 37. Present subsections (6) through (8) of section
1002.61, Florida Statutes, are redesignated as subsections (7)
through (9), respectively, new subsections (6) and (10) are
added to that section, and paragraph (b) of subsection (1),
paragraph (b) of subsection (3), subsection (4), and present
subsection (6) and (8) of that section are amended, to read:
    1002.61 Summer prekindergarten program delivered by public
schools and private prekindergarten providers.—
    (1)
    (b) Each early learning coalition shall administer the
Voluntary Prekindergarten Education Program at the county or
regional level for students enrolled under s. 1002.53(3)(b) in a
summer prekindergarten program delivered by a private
prekindergarten provider. A child development program operating
on a military installation that is certified by the United
States Department of Defense and accredited by a national
(7)(6) A public school or private prekindergarten provider in this section.

(7)(6) A public school or private prekindergarten provider in this section.

(7)(6) A public school or private prekindergarten provider in this section.

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Section 38. Paragraph (b) of subsection (3) and subsections (6) and (8) of section 1002.63, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1002.63 School-year prekindergarten program delivered by public schools.—

(a) Each public school delivering the school-year prekindergarten program must execute a single agreement with the early learning coalition on behalf of all district schools.

(b) Each public school delivering the school-year prekindergarten program must execute the statewide provider contract prescribed under s. 1002.73, except that the state board of the early learning coalition on behalf of all district schools may cooperate with public schools to develop and adopt rules to implement this subsection which shall include required qualifications of substitute instructors and the circumstances and time limits for which a public school prekindergarten provider may assign a substitute instructor.

Each district school board shall verify that each public school delivering the school-year prekindergarten program delivered by a public school prekindergarten provider is of good moral character and has been screened before employment in accordance with level 2 background screening requirements in chapter 435. This subsection does not supersede employment requirements for instructional personnel in public schools which are more stringent than the requirements of this subsection. The State Board of Education office of Early Learning shall adopt rules to implement this subsection which shall include required qualifications of substitute instructors and the circumstances and time limits for which a public school prekindergarten provider may assign a substitute instructor.

Section 39. Section 1002.67, Florida Statutes, is amended to read:

1002.67 Performance standards and accountability.—

(1) The Office of Early Learning shall develop and adopt performance standards for students in the Voluntary Prekindergarten Education Program. The performance standards must address the age-appropriate progress of students in the development of:

1. The capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution; and

2. Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development; and

3. Mathematical thinking and early math skills.
By October 1, 2013, the office shall examine the existing performance standards in the area of mathematical thinking and develop a plan to make appropriate professional development and training courses available to prekindergarten instructors.

(b) At least every 3 years, the department office shall periodically review and, if necessary, revise the performance standards established under s. 1002.67 for the statewide kindergarten screening administered under s. 1002.68 and align the standards to the standards established by the state board for student performance on the statewide assessments administered pursuant to s. 1008.22.

(2)(a) Each private prekindergarten provider and public school may select or design the curriculum that the provider or school uses to implement the Voluntary Prekindergarten Education Program, except as otherwise required for a provider or school that is placed on probation under s. 1002.68 paragraph (4)(c).

(b) Each private prekindergarten provider’s and public school’s curriculum must be developmentally appropriate and must:

1. Be designed to prepare a student for early literacy and provide for instruction in early math skills;

2. Enhance the age-appropriate progress of students in attaining the performance standards adopted by the department under subsection (1); and

3. Support student learning gains through differentiated instruction that shall be measured by the coordinated screening and progress-monitoring program under s. 1002.2125 Prepare students to be ready for kindergarten based upon the statewide kindergarten screening administered under s. 1002.68.

(c) The State Board of Education office shall adopt rules for the review and approval of approved curricula for use by private prekindergarten providers and public schools that are placed on probation under s. 1002.68 paragraph (4)(c). The department office shall administer the review and approval process and maintain a list of the curricula approved under this paragraph. Each approved curriculum must meet the requirements of paragraph (b).

(3)(a) Contingent upon legislative appropriation, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must implement an evidence-based pre- and post-assessment that has been approved by rule of the State Board of Education.

(b) In order to be approved, the assessment must be valid, reliable, developmentally appropriate, and designed to measure student progress on domains which must include, but are not limited to, early literacy, numeracy, and language.

(a) The pre- and post-assessment must be administered by individuals meeting requirements established by rule of the State Board of Education.

(4)(a) Each early learning coalition shall verify that each private prekindergarten provider delivering the Voluntary Prekindergarten Education Program within the coalition’s county or multicounty region complies with this part. Each district school board shall verify that each public school delivering the program within the school district complies with this part.

(b) If a private prekindergarten provider or public school fails or refuses to comply with this part, or if a provider or school board fails to verify that each public school delivering the Voluntary Prekindergarten Education Program within the coalition’s county or multicounty region complies with this part, or if a provider or school board fails to verify that each public school delivering the program within the school district complies with this part, the department office shall place the provider or school board on probation under s. 1002.68.
school engages in misconduct, the office shall require the early learning coalition to remove the provider and require the school district to remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of 5 years.

(3)(a) If the kindergarten readiness rate of a private prekindergarten provider or public school falls below the minimum rate adopted by the office as satisfactory under s. 1002.69(6), the early learning coalition or school district, as applicable, shall require the provider or school to submit an improvement plan for approval by the coalition or school district, as applicable, and to implement the plan; shall place the provider or school on probation; and shall require the provider or school to take certain corrective actions, including the use of a curriculum approved by the office under paragraph (2)(c) or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office.

(b) A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph (1), including the use of a curriculum or a staff development plan to strengthen instruction in language development and phonological awareness approved by the office, until the provider or school meets the minimum rate adopted by the office as satisfactory under s. 1002.69(6).

(3)(c) Failure to implement an approved improvement plan or staff development plan shall result in the termination of the provider’s contract to deliver the Voluntary Prekindergarten Education Program for a period of 5 years.

3. If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum rate adopted by the office as satisfactory under s. 1002.69(6) and is not granted a good cause exemption by the office pursuant to s. 1002.69(7), the office shall require the early learning coalition or the school district to remove, as applicable, the provider or school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program for a period of 5 years.

(4) Each early learning coalition and the office shall coordinate with the Child Care Services Program Office of the Department of Children and Families to minimize interagency duplication of activities for monitoring private prekindergarten providers for compliance with requirements of the Voluntary Prekindergarten Education Program under this part, the school readiness program under part VI of this chapter, and the licensing of providers under ss. 402.301-402.319.

Section 40. Section 1002.68, Florida Statutes, is created to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(1) (a) Beginning with the 2021-2022 program year, each private prekindergarten provider and public school participating in the Voluntary Prekindergarten Education Program must participate in the coordinated screening and progress-monitoring program in accordance with s. 1008.2125. The coordinated screening and progress-monitoring program results shall be used by the department to identify student learning gains, index development learning outcomes upon program completion relative
to the performance standards established under s. 1002.67 and representative norms, and inform a provider’s performance metric.

(b) At a minimum, the initial and final progress-monitoring or screening must be administered by individuals meeting requirements adopted by the department pursuant to s. 1008.2125.

c) Each private prekindergarten provider and public school must provide a student’s performance results to the student’s parents no later than 7 days after the administration of such screening and progress monitoring.

(2) Beginning with the 2020-2021 program year, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must participate in a program assessment of each voluntary prekindergarten education classroom. The program assessment shall measure the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages 3 to 5 years. Each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program shall receive the results of the program assessment for each classroom within 14 days of the observation.

The program assessment and screening and progress-monitoring must be administered by individuals meeting requirements established by rule of the State Board of Education.

(3) (a) For the 2019-2020 program year, the department shall calculate a performance metric for each provider based upon learning gains and the percentage of students who are assessed as ready for kindergarten. The department shall require that each school district administer the statewide kindergarten screening in use before the 2020-2021 school year to each kindergarten student in the school district within the first 30 school days of the 2020-2021 school year. Nonpublic schools may administer the statewide kindergarten screening to each kindergarten student in a nonpublic school who was enrolled in the Voluntary Prekindergarten Education Program.

(b) For the 2020-2021 program year, the department shall calculate a program performance metric for each provider based upon learning gains and the program assessment, which shall be weighted at a minimum of approximately 50 percent of a program’s performance metric and administered pursuant to this section.

c) For purposes of this subsection, learning gains shall be determined using a value-added measure based on growth demonstrated by the results of the preassessment and postassessment in use before the 2021-2022 program year.

(d) Any provider who fails to meet the minimum voluntary prekindergarten readiness rate or program performance metric during the 2020-2021 program year shall be subject to the probation requirements of subsection (4).

(4) (a) Beginning with the 2021-2022 program year, the department shall adopt a methodology for calculating each provider’s performance metric, which must be based on a combination of the following:

1. Program assessment scores under subsection (2), which shall be weighted at approximately 50 percent.

2. Learning gains expressed as the change in ability scores from the initial and final progress-monitoring results described
3. Norm-referenced developmental learning outcomes

(b) For purposes of this subsection, the methodology for calculation may only include prekindergarten students who have attended at least 85 percent of a private prekindergarten provider’s or public school’s program.

c) The methodology must include a statistical latent profile analysis that is conducted by a contracted independent expert with experience in relevant quantitative analysis, early childhood assessment, and designing state-level accountability systems. Such expert must be able to produce a limited number of program performance metric profiles that summarize all programs’ profiles that inform the assignment of a letter grading system to include grades “A” through “F.” The contracted independent expert may not be a direct stakeholder or have had a financial interest in the design or delivery of the Voluntary Prekindergarten Education Program or public school systems within the last 5 years.

d) The grading system must provide for a differential payment to a private prekindergarten provider and public school based on program performance. The maximum differential payment may not exceed a total of 15 percent of the base student allocation per full-time equivalent as defined in s. 1002.71. A private prekindergarten provider or public school may not receive a differential if it is assigned a grade of “C” or below. Before the adoption of a methodology, the department and the contracted expert shall confer with the Council for Early Grade Success under s. 1008.2125 before receiving approval for

(e) The department shall adopt procedures to annually calculate each private prekindergarten provider’s and public school’s program performance metric and grade based on the methodology adopted in paragraphs (a) and (b). Beginning with the 2022-2023 program year, each private prekindergarten provider or public school shall be assigned a grade within 45 days of the conclusion of the school year Voluntary Prekindergarten Education Program delivered by all participating private prekindergarten providers or public schools.

(f) The department shall adopt a minimum program performance metric or grade that, if achieved by a private prekindergarten provider or public school, would demonstrate the provider’s or school’s satisfactory delivery of the Voluntary Prekindergarten Education Program.

(5) (a) If a public school’s or private prekindergarten provider’s program assessment composite score for its prekindergarten classrooms fails to meet the minimum threshold for contracting established by the department pursuant to s. 1002.82(2)(n), then the public school or private prekindergarten provider may not participate in the Voluntary Prekindergarten Education Program beginning in the subsequent program year and thereafter until the public school or private prekindergarten provider meets the minimum threshold for contracting.

(b) If a private prekindergarten provider’s or public
that the early learning coalition or school district, as applicable, shall:

1. Require the provider or school to submit an improvement plan for approval by the coalition or school district, as applicable, and to implement the plan;

2. Place the provider or school on probation; and

3. Require the provider or school to take certain corrective actions, including the use of a curriculum approved by the department under s. 1002.67(2)(c) or a staff development plan approved by the department to strengthen instructional practices in emotional and behavioral support, engaged support for learning, classroom organization, language development, phonological awareness, alphabet knowledge, and mathematical thinking.

(c) A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under paragraph (b) until the provider or school meets the minimum program performance metric or grade adopted by the department. Failure to meet the requirements of subparagraphs (b)1. and 3. shall result in the termination of the provider’s or school’s contract to deliver the Voluntary Prekindergarten Education Program for a period of at least 2 years but no more than 5 years.

(d) If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum program performance metric or grade, or is not granted a good cause exemption by the department, the department shall require the early learning coalition or the school board, as applicable, the Department of Children and Family Services to revoke the provider’s or school’s eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program. Such exemption is valid for 1 year and, upon the request of the private prekindergarten provider or public school and for good cause shown, may be renewed.

(6)(a) The department, upon the request of a private prekindergarten provider or public school that remains on probation for at least 2 consecutive years and subsequently fails to meet the minimum program performance metric or grade adopted pursuant to paragraph (5)(c), and for good cause shown, may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program. Such exemption is valid for 1 year and, upon the request of the private prekindergarten provider or public school and for good cause shown, may be renewed.

(b) A private prekindergarten provider’s or public school’s request for a good cause exemption, or renewal of such an exemption, must be submitted to the department in the manner and within the timeframes prescribed by the department and must include the following:

1. Data from the private prekindergarten provider or public school which documents the achievement and progress of the children served, as measured by any required screenings or assessments.

2. Data from the program assessment required under s. 1002.55 which demonstrates effective teaching practices as recognized by the contracted expert.

3. Data from the early learning coalition or district school board, as applicable, the Department of Children and Family Services.
(c) The department shall adopt criteria for granting good cause exemptions. Such criteria must include, but are not limited to, all of the following:

1. Child demographic data that evidences a private prekindergarten provider or public school serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the students’ individual education plans.

2. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school on an alternative measure that has comparable validity and reliability of the screening and progress-monitoring program in accordance with s. 1008.2125.

3. Program assessment data under subsection (2) which demonstrates effective teaching practices as recognized by the contracted expert.

4. Verification that local and state health and safety requirements are met.

(d) A good cause exemption may not be granted to any private prekindergarten provider or public school that has any Class I violations or two or more Class II violations within the 2 years preceding the provider’s or school’s request for the exemption. For purposes of this paragraph, Class I and Class II violations have the same meaning as provided in s. 1002.945.
(c) The initial allocation shall be based on estimated student enrollment in each coalition service area. The department of Early Learning shall reallocate funds among the coalitions based on actual full-time equivalent student enrollment in each coalition service area. Each coalition shall report student enrollment pursuant to subsection (2) on a monthly basis. A student enrollment count for the prior fiscal year may not be amended after September 30 of the subsequent fiscal year.

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

(a) A child who, for any of the prekindergarten programs listed in s. 1002.53(3), has not completed more than 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66, may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause shall be issued in accordance with the department’s Office of Early Learning’s uniform attendance policy adopted pursuant to paragraph (6)(d).

(b) A child who has not substantially completed any of the prekindergarten programs listed in s. 1002.53(3) may withdraw from the program due to an extreme hardship that is beyond the child’s or parent’s control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

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The department Office of Early Learning shall adopt procedures for early learning coalitions and school districts to review the original signed forms against the certified student attendance. The review procedures shall provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition and the school districts must comply with the review procedures.

(d) The department Office of Early Learning shall adopt, for funding purposes, a uniform attendance policy for the Voluntary Prekindergarten Education Program. The attendance policy must apply statewide and apply equally to all private prekindergarten providers and public schools. The attendance policy must include at least the following provisions:

1. A student’s attendance may be reported on a pro rata basis as a fractional part of a full-time equivalent student.
2. At a maximum, 20 percent of the total payment made on behalf of a student to a private prekindergarten provider or a public school may be for hours a student is absent.
3. A private prekindergarten provider or public school may not receive payment for absences that occur before a student’s first day of attendance or after a student’s last day of attendance.

The uniform attendance policy shall be used only for funding purposes and does not prohibit a private prekindergarten provider or public school from adopting and enforcing its attendance policy under paragraphs (a) and (c).

(7) The department Office of Early Learning shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the
Voluntary Prekindergarten Education Program. Administrative policies and procedures shall be revised, to the maximum extent practicable, to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. A school district may use its automated daily attendance reporting system for the purpose of transmitting attendance records to the early learning coalition in a mutually agreed-upon format. In addition, actions shall be taken to reduce paperwork, eliminate the duplication of reports, and eliminate other duplicative activities. Each early learning coalition may retain and expend no more than 4.0 percent of the funds paid by the coalition to private prekindergarten providers and public schools under paragraph (5)(b). Funds retained by an early learning coalition under this subsection may be used only for administering the Voluntary Prekindergarten Education Program and may not be used for the school readiness program or other programs.

Section 43. Subsection (1) of section 1002.72, Florida Statutes, is amended to read:

1002.72 Records of children in the Voluntary Prekindergarten Education Program.—

(1)(a) The records of a child enrolled in the Voluntary Prekindergarten Education Program held by an early learning coalition, the Office of Early Learning, or a Voluntary Prekindergarten Education Program provider are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this section, such records include assessment data, health data, records of teacher observations, and personal identifying information of an enrolled child and his or her parent.

(b) This exemption applies to the records of a child enrolled in the Voluntary Prekindergarten Education Program held by an early learning coalition, the Office of Early Learning, or a Voluntary Prekindergarten Education Program provider before, on, or after the effective date of this exemption.

Section 44. Section 1002.73, Florida Statutes, is amended to read:

1002.73 Department of Education; powers and duties; accountability requirements.—

(1) The department shall adopt by rule a standard statewide provider contract to be used with each Voluntary Prekindergarten Education Program provider, with standardized attachments by provider type. The department shall publish a copy of the standard statewide provider contract on its website. The standard statewide provider contract shall include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of children. The standard statewide provider contract shall also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable. 

This exemption applies to the records of a child enrolled in the Voluntary Prekindergarten Education Program at the state level.
(2) The department shall adopt procedures for:

(a) Approval of prekindergarten director credentials under ss. 1002.55 and 1002.57.

(b) Approval of emergent literacy training courses under ss. 1002.55 and 1002.59.

(c) Annually notifying providers placed on probation for

not meeting the minimum performance metric as required by s. 1002.68 of the free and low-cost, high-quality professional development opportunities developed or supported by the department.

(3) The department shall adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts for:

(a) Enrolling children in and determining the eligibility of children for the Voluntary Prekindergarten Education Program under s. 1002.53, which shall include the enrollment of children by public schools and private providers that meet specified requirements.

(b) Providing parents with profiles of private prekindergarten providers and public schools under s. 1002.53.

(c) Registering private prekindergarten providers and public schools to deliver the program under ss. 1002.55, 1002.61, and 1002.63.

(d) Determining the eligibility of private prekindergarten providers to deliver the program under ss. 1002.55 and 1002.61 and streamlining the process of determining provider eligibility whenever possible.

(e) Verifying the compliance of private prekindergarten providers and public schools and removing providers or schools from eligibility to deliver the program due to noncompliance or misconduct as provided in s. 1002.67.

(f) Paying private prekindergarten providers and public schools under s. 1002.71.

(g) Documenting and certifying student enrollment and student attendance under s. 1002.71.

(h) Reconciling advance payments in accordance with the uniform attendance policy under s. 1002.71.

(i) Reenrolling students dismissed by a private prekindergarten provider or public school for noncompliance with the provider’s or school district’s attendance policy under s. 1002.71.

(4) The department shall administer the accountability requirements of the Voluntary Prekindergarten Education Program at the state level.

(5) The department shall adopt rules governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts for:

(a) Approving improvement plans of private prekindergarten providers and public schools under s. 1002.68.

(b) Placing private prekindergarten providers and public schools on probation and requiring corrective actions under s. 1002.68.

(c) Removing a private prekindergarten provider or public school from eligibility to deliver the program due to the provider’s or school’s remaining on probation beyond the time permitted under s. 1002.68. Notwithstanding any other law, if a
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private prekindergarten provider has been cited for a Class I
violation, as defined by rule by the Child Care Services Program
Office of the Department of Children and Families, the coalition
may refuse to contract with the provider or revoke the
provider’s eligibility to deliver the Voluntary Prekindergarten
Education Program.

(d) Enrolling children in and determining the eligibility
of children for the Voluntary Prekindergarten Education Program
under s. 1002.66.

(e) Paying specialized instructional services providers
under s. 1002.66.

(f) Administration of the statewide kindergarten screening
and calculation of kindergarten readiness rates under s.
1002.66.

(g) Implementation of, and determination of costs
associated with, the state-approved prekindergarten enrollment
screening and the standardized postassessment approved by the
department, and determination of the learning gains of students
who complete the state-approved prekindergarten enrollment
screening and the standardized postassessment approved by the
department.

(h) Approving Approval of specialized instructional
services providers under s. 1002.66.

(3) Annual reporting of the percentage of kindergarten
students who meet all state readiness measures.

(3) Granting of a private prekindergarten provider’s or
public school’s request for a good cause exemption under s.
1002.68(4)(7).

(4) The department shall adopt procedures for the
distribution of funds to early learning coalitions under s.
1002.71.

(7) Except as provided by law, the department may not
impose requirements on a private prekindergarten provider or
public school that does not deliver the Voluntary
Prekindergarten Education Program or receive state funds under
this part.

Section 45. Sections 1002.75 and 1002.77, Florida Statutes,
are repealed.

Section 46. Section 1002.79, Florida Statutes, is amended
to read:

1002.79 Rulemaking authority.—The State Board of Education
Office of Early Learning shall adopt rules under ss. 120.536(1)
and 120.54 to administer the provisions of this part conferring
duties upon the department office.

Section 47. Subsections (13) through (16) of section
1002.81, Florida Statutes, are renumbered as subsections (12)
through (15), respectively, and subsections (3), (4), and (12)
of that section are amended, to read:

1002.81 Definitions.—Consistent with the requirements of 45
C.F.R. parts 98 and 99 and as used in this part, the term:
(3) “Prevailing Average market rate” means the biennially
determined 75th percentile of a reasonable frequency
distribution average of the market rate by program care level
and provider type in a predetermined geographic market at which
child care providers charge a person for child care services.
(4) “Direct enhancement services” means services for
families and children that are in addition to payments for the
placement of children in the school readiness program. Direct
enhancement services for families and children may include supports for providers, parent training and involvement activities, and strategies to meet the needs of unique populations and local eligibility priorities. Direct enhancement services offered by an early learning coalition shall be consistent with the activities prescribed in s. 1002.89(5)(b) and 1002.89(6)(b).

(11) “Office” means the Office of Early Learning of the Department of Education. Section 48. Subsections (1) through (5) of section 1002.82, Florida Statutes, are amended to read: 1002.82 Department of Education Office of Early Learning;

(1) For purposes of administration of the Child Care and Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts 98 and 99, the Department of Education Office of Early Learning is designated as the lead agency and must comply with lead agency responsibilities pursuant to federal law. The department may apply to the Governor and Cabinet for a waiver of, and the Governor and Cabinet may waive, any provision of ss. 411.223 and 1003.54 if the waiver is necessary for implementation of the school readiness program. Section 125.901(2)(a)3. does not apply to the school readiness program.

(2) The department shall:

(a) Focus on improving the educational quality delivered by all providers participating in the school readiness program.

(b) Preserve parental choice by permitting parents to choose from a variety of child care categories, including center-based care, family child care, and informal child care to

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(f) Establish a unified approach to the state's efforts to coordinate a comprehensive early learning program. In support of this effort, the department of Children and Families shall:

1. Adopt specific program support services that address the state's school readiness program, including:
   a. Statewide data information program requirements that include:
      (I) Eligibility requirements.
      (II) Financial reports.
      (III) Program accountability measures.
      (IV) Child progress reports.
   b. Child care resource and referral services.
   c. A single point of entry and uniform waiting list.
   2. May provide technical assistance and guidance on additional support services to complement the school readiness program, including:
      a. Rating and improvement systems.
      b. Warm-Line services.
      c. Anti-fraud plans.
      d. School readiness program standards.
      e. Child screening and assessments.
      f. Training and support for parental involvement in children's early education.
      g. Family literacy activities and services.
      (g) Provide technical assistance to early learning coalitions.
      (h) In cooperation with the early learning coalitions, coordinate with the Child Care Services Program Office of the Department of Children and Families to reduce paperwork and to avoid duplicating interagency activities, health and safety monitoring, and acquiring and composing data pertaining to child care training and credentialing.

(i) Enter into a memorandum of understanding with local licensing agencies and the Child Care Services Program Office of the Department of Children and Families for inspections of school readiness program providers to monitor and verify compliance with s. 1002.88 and the health and safety checklist adopted by the department of Children and Families. The provider contract of a school readiness program provider that refuses permission for entry or inspection shall be terminated. The health and safety checklist may not exceed the requirements of s. 402.305 and the Child Care and Development Fund pursuant to 45 C.F.R. part 98. A child development program operating on a military installation that is certified by the United States Department of Defense and accredited by a national accrediting body is exempt from the inspection requirements under s. 1002.88.

(j) Monitor the alignment and consistency of the development and adopt standards and benchmarks developed and adopted by the department that address the age-appropriate progress of children in the development of school readiness skills. The standards for children from birth to 5 years of age in the school readiness program must be aligned with the performance standards adopted for children in the Voluntary Prekindergarten Education Program and must address the following domains:

1. Approaches to learning.
2. Cognitive development and general knowledge.
3. Numeracy, language, and communication.
4. Physical development.
5. Self-regulation.

(k) Identify observation-based child assessments that are valid, reliable, and developmentally appropriate for use at least three times a year. The assessments must:

1. Provide interval level and criterion-referenced data that measures equivalent levels of growth across the core domains of early childhood development and that can be used for determining developmentally appropriate learning gains.

2. Measure progress in the performance standards adopted pursuant to paragraph (j).

3. Provide for appropriate accommodations for children with disabilities and English language learners and be administered by qualified individuals, consistent with the developer's instructions.

4. Coordinate with the performance standards adopted by the department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program.

5. Provide data in a format for use in the single statewide information system to meet the requirements of paragraph (q).

(l) Adopt a list of approved curricula that meet the performance standards for the school readiness program and establish a process for the review and approval of a provider’s curriculum that meets the performance standards.

(m) Provide technical support to an early learning coalition to facilitate the use of a standard statewide provider contract to be used with each school readiness program provider, with standardized attachments by provider type. The department office shall publish a copy of the standard statewide provider contract on its website. The standard statewide contract shall include, at a minimum, contracted slots, if applicable, in accordance with the Child Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98 and 99; quality improvement strategies, if applicable; program assessment requirements; and provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of the children. The standard statewide provider contract shall also include adequate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable. Provisions for termination for cause must also include failure to meet the minimum quality measures established under paragraph (n) for a period of up to 5 years, unless the coalition determines that the provider is essential to meeting capacity needs based on the assessment under s. 1002.85(2)(j) and the provider has an active improvement plan pursuant to paragraph (n).

(n) Adopt a program assessment for school readiness program providers that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages birth to 5 years. The implementation of the program assessment must also include the following components adopted by rule by the State Board of Education.


1. Quality measures, including a minimum threshold for contracting purposes and program improvement through an improvement plan.

2. Requirements for program participation, frequency of program assessment, and exemptions.
   (o) No later than July 1, 2019, develop a differential payment program based on the quality measures adopted by the department office under paragraph (n). The differential payment may not exceed a total of 15 percent for each care level and unit of child care for a child care provider. No more than 5 percent of the 15 percent total differential may be provided to providers who submit valid and reliable data to the statewide information system in the domains of language and executive functioning using a child assessment identified pursuant to paragraph (k). Providers below the minimum threshold for contracting purposes are ineligible for such payment.
   (p) No later than July 1, 2021, develop and adopt requirements for the implementation of a program designed to make available contracted slots to serve an at-risk child, as defined in s. 1002.81(1)(d) and (f), and to serve children at the greatest risk of school failure as determined by the children being located in an area that has been designated as a poverty area tract according to the latest census data. The contracted slot program may also be used to increase the availability of child care capacity based on the assessment under s. 1002.85(2)(f).
   (q) Establish a single statewide information system that each coalition must use for the purposes of managing the single point of entry, tracking children’s progress, coordinating services among stakeholders, determining eligibility of children, tracking child attendance, and streamlining administrative processes for providers and early learning coalitions. By July 1, 2019, the system, subject to ss. 1002.72 and 1002.97, shall:
      1. Allow a parent to monitor the development of his or her child as the child moves among programs within the state.
      2. Enable analysis at the state, regional, and local level to measure child growth over time, program impact, and quality improvement and investment decisions.
   (r) Provide technical support to coalitions to facilitate the use of standardized procedures adopted by rule by the State Board of Education for coalitions to use when monitoring the compliance of school readiness program providers with the terms of the standard statewide provider contract.
   (s) Monitor and evaluate the performance of each early learning coalition in administering the school readiness program, ensuring proper payments for school readiness program services, implementing the coalition’s school readiness program plan, and administering the Voluntary Prekindergarten Education Program. These monitoring and performance evaluations must include, at a minimum, onsite monitoring of each coalition’s finances, management, operations, and programs.
   (t) Work in conjunction with the Bureau of Federal Education Programs within the Department of Education to coordinate readiness and voluntary prekindergarten services to the populations served by the bureau.
   (u) Administer a statewide toll-free Warm-Line to
Establish staff-to-children ratios that do not exceed the requirements of s. 402.302(8) or (11) or s. 2465

2. Expand or contract for the expansion of the Warm-Line to maintain at least one Warm-Line in each early learning coalition service area.

(w) Establish preservice and inservice training requirements that address, at a minimum, school readiness child development standards, health and safety requirements, and social-emotional behavior intervention models, which may include positive behavior intervention and support models, including the integration of early learning professional development pathways established in s. 1002.995.

(x) Establish standards for emergency preparedness plans for school readiness program providers.

(y) Establish group sizes.

(z) Establish staff-to-children ratios that do not exceed the requirements of s. 402.302(8) or (11) or s. 402.305(4), as applicable, for school readiness program providers.

(a) Establish eligibility criteria, including limitations based on income and family assets, in accordance with s. 1002.87 and federal law.

(b) If the department determines during the review of school readiness program plans, or through monitoring and performance evaluations conducted under s. 1002.85, that an early learning coalition has not substantially implemented its plan, has not substantially met the performance standards and outcome measures adopted by the department, or has not effectively administered the school readiness program or Voluntary Prekindergarten Education Program, the department may temporarily contract with a qualified entity to continue school readiness program and prekindergarten services in the coalition’s county or multicounty region until the department reestablishes the coalition and a new school readiness program plan is approved in accordance with the rules adopted by the State Board of Education.

(4) The department may request the Governor to apply for a waiver to allow a coalition to administer the Head Start Program to accomplish the purposes of the school readiness program.

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

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

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

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

3. A description of the department’s offices and each coalition’s expenditures by fund source for the quality and enhancement activities described in s. 1002.89(5)(b).

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

5. Data regarding the coalitions’ delivery of early learning programs.

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

7. The total number of providers by provider type.

8. The number of school readiness program providers who have completed the program assessment required under paragraph (2)(n); the number of providers who have not met the minimum threshold for contracting established under paragraph (2)(n); and the number of providers that have an active improvement plan based on the results of the program assessment under paragraph (2)(n).

9. The total number of provider contracts revoked and the reasons for revocation.

(b) A summary of the activities and detailed expenditures related to the Child Care Executive Partnership Program.

Section 49. Subsections (1), (2), and (3), paragraph (m) of subsection (4), and subsections (5), (11), and (13) of section 1002.83, Florida Statutes, are amended to read:

1002.83 Early learning coalitions.—

(1) Thirty or fewer early learning coalitions are established and shall maintain direct enhancement services at the local level and provide access to such services in all 67 counties. Two or more early learning coalitions may join for purposes of planning and implementing a school readiness program and the Voluntary Prekindergarten Education Program.

(2) Each early learning coalition shall be composed of at least 15 members but not more than 30 members.

(3) The Governor shall appoint the chair and two other members of each early learning coalition, who must each meet the same qualifications as private sector business members appointed by the coalition under subsection (5).

(4) Each early learning coalition must include the following member positions; however, in a multicounty coalition, each ex officio member position may be filled by multiple nonvoting members but no more than one voting member shall be seated per member position. If an early learning coalition has more than one member representing the same entity, only one of such members may serve as a voting member:

(a) A central agency administrator, where applicable.

(5) Including the Members appointed by the Governor under...
(13) Each early learning coalition shall use a coordinated professional development system that supports the achievement and maintenance of core competencies by school readiness program teachers in helping children attain the performance standards adopted by the department office.

Section 50. Subsections (17) through (20) of section 1002.84, Florida Statutes, are renumbered as subsections (16) through (19), respectively, and subsections (1), (2), (4), (7), (8), (15), and (16) and present subsections (17), (18), and (20) of that section are amended to read:

1002.84 Early learning coalitions; school readiness powers and duties.—Each early learning coalition shall:

(1) Administer and implement a local comprehensive program of school readiness program services in accordance with this part and the rules adopted by the State Board of Education office, which enhances the cognitive, social, and physical development of children to achieve the performance standards.

(2) Establish a uniform waiting list to track eligible children waiting for enrollment in the school readiness program in accordance with rules adopted by the State Board of Education office.

(4) Establish a regional Warm-Line as directed by the department office pursuant to s. 1002.82(2)(a), which enhances the cognitive, social, and physical development of children to achieve the performance standards.

Regional Warm-Line staff shall provide onsite technical assistance, when requested, to assist child care facilities and family day care homes with inquiries relating to the strategies, curriculum, and environmental adaptations the child care facilities and family day care homes may need as they serve children with disabilities and other special needs.

(7) Determine child eligibility pursuant to s. 1002.87 and provider eligibility pursuant to s. 1002.88. Child eligibility must be reetermined annually. A coalition must document the reason a child is no longer eligible for the school readiness program according to the standard codes prescribed by the department office.
(8) Establish a parent sliding fee scale that provides for a parent copayment that is not a barrier to families receiving school readiness program services. Providers are required to collect the parent’s copayment. A coalition may, on a case-by-case basis, temporarily waive the copayment for a child whose family’s income is at or below the federal poverty level or whose family experiences a natural disaster or an event that limits the parent’s ability to pay, such as incarceration, placement in residential treatment, or becoming homeless, or an emergency situation such as a household fire or burglary, or while the parent is participating in parenting classes or participating in an Early Head Start program or Head Start Program. A parent may not transfer school readiness program services to another school readiness program provider until the parent has submitted documentation from the current school readiness program provider to the early learning coalition stating that the parent has satisfactorily fulfilled the copayment obligation.

(15) Monitor school readiness program providers in accordance with its plan, or in response to a parental complaint, to verify that the standards prescribed in ss. 1002.82 and 1002.88 are being met using a standard monitoring tool adopted by the department office. Providers determined to be high-risk by the coalition, as demonstrated by substantial findings of violations of federal law or the general or local laws of the state, shall be monitored more frequently. Providers with 3 consecutive years of compliance may be monitored biennially.

(16) Adopt a payment schedule that encompasses all programs funded under this part and part V of this chapter. The payment schedule must take into consideration the average market rate, include the projected number of children to be served, and be submitted for approval by the office. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate adopted for a family day care home.

(17) Implement an anti-fraud plan addressing the detection, reporting, and prevention of overpayments, abuse, and fraud relating to the provision of and payment for school readiness program and Voluntary Prekindergarten Education Program services and submit the plan to the department office for approval, as required by s. 1002.91.

By October 1 of each year, submit an annual report to the department office. The report must conform to the format adopted by the department office and must include:

(a) Segregation of school readiness program funds, Voluntary Prekindergarten Education Program funds, Child Care Executive Partnership Program funds, and other local revenues available to the coalition.

(b) Details of expenditures by fund source, including total expenditures for administrative activities, quality activities, nondirect services, and direct services for children.

(c) The total number of coalition staff and the related expenditures for salaries and benefits. For any subcontracts, the total number of contracted staff and the related expenditures for salaries and benefits must be included.

(d) The number of children served in the school readiness program, by provider type, enumerated by age and eligibility priority category, reported as the number of children served...
during the month, the average participation throughout the
month, and the number of children served during the month.

(e) The total number of children disenrolled during the
year and the reasons for disenrollment.

(f) The total number of providers by provider type.

(g) A listing of any school readiness program provider, by
type, whose eligibility to deliver the school readiness program
is revoked, including a brief description of the state or
federal violation that resulted in the revocation.

(h) An evaluation of its direct enhancement services.

(i) The total number of children served in each provider
facility.

(19)(a) To increase transparency and accountability,
comply with the requirements of this section before contracting
with one or more of the following persons or business entities
which employs, has a contractual relationship with, or is owned
by the following persons:

1. A member of the coalition appointed pursuant to s.
1002.83(4);

2. A board member of any other early learning subrecipient
entity;

3. A coalition employee; or

4. A relative, as defined in s. 112.3143(1)(c), of any
person identified in subparagraphs 1.-3. a coalition member or of an
employee of the coalition.

(b) Such contracts may not be executed without the approval
of the department office. Such contracts, as well as
documentation demonstrating adherence to this section by the
coalition, must be approved by a two-thirds vote of the

coalition, a quorum having been established; all conflicts of
interest must be disclosed before the vote; and any member who
may benefit from the contract, or whose relative may benefit
from the contract, must abstain from the vote. A contract under
$25,000 between an early learning coalition and a member of that
coalition or between a relative, as defined in s.
112.3143(1)(c), of a coalition member or an employee of the
coalition is not required to have the prior approval of the
department office but must be approved by a two-thirds vote of
the coalition, a quorum having been established, and must be
reported to the department office within 30 days after approval.

If a contract cannot be approved by the department office, a
review of the decision to disapprove the contract may be
requested by the early learning coalition or other parties to
the disapproved contract.

Section 51. Section 1002.85, Florida Statutes, is amended
to read:

1002.85 Early learning coalition plans.—
(1) The department office shall adopt rules prescribing the
standardized format and required content of school readiness
program plans as necessary for a coalition or other qualified
entity to administer the school readiness program as provided in
this part.

(2) Each early learning coalition must biennially submit a
school readiness program plan to the department office before
the expenditure of funds. A coalition may not implement its
school readiness program plan until it receives approval from
the department office. A coalition may not implement any
revision to its school readiness program plan until the

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coalition submits the revised plan to and receives approval from the department office. If the department office rejects a plan or revision, the coalition must continue to operate under its previously approved plan. The plan must include, but is not limited to:

(a) The coalition’s operations, including its membership and business organization, and the coalition’s articles of incorporation and bylaws if the coalition is organized as a corporation. If the coalition is not organized as a corporation or other business entity, the plan must include the contract with a fiscal agent.

(b) The minimum number of children to be served by care level.

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

1. Single point of entry.
2. Uniform waiting list.
3. Eligibility and enrollment processes and local eligibility priorities for children pursuant to s. 1002.87.
4. Parent access and choice.
5. Sliding fee scale and policies on applying the waiver or reduction of fees in accordance with s. 1002.84(8).
6. Use of preassessments and postassessments, as applicable.
7. Payment rate schedule.
8. Use of contracted slots, as applicable, based on the results of the assessment required under paragraph (j).

(d) A detailed description of the coalition’s quality activities and services, including, but not limited to:

A detailed budget that outlines estimated expenditures of detail available by other-cost-accumulator code number; all estimated sources of revenue with identifiable descriptions; a listing of full-time equivalent positions; contracted subcontractor costs with related annual compensation amount or hourly rate of compensation; and a capital improvements plan outlining existing fixed capital outlay projects and proposed capital outlay projects that will begin during the budget year.

(f) A detailed accounting, in the format prescribed by the department office, of all revenues and expenditures during the previous state fiscal year. Revenue sources should be identifiable, and expenditures should be reported by three categories: state and federal funds, local matching funds, and Child Care Executive Partnership Program funds.

(g) Updated policies and procedures, including those governing procurement, maintenance of tangible personal property, maintenance of records, information technology security, and disbursement controls.

(h) A description of the procedures for monitoring school readiness program providers, including in response to a parental complaint, to determine that the standards prescribed in ss. 1002.82 and 1002.88 are met using a standard monitoring tool adopted by the department office. Providers determined to be...
high risk by the coalition as demonstrated by substantial findings of violations of law shall be monitored more frequently.

(i) Documentation that the coalition has solicited and considered comments regarding the proposed school readiness program plan from the local community.

(j) An assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.

(3) The coalition may periodically amend its plan as necessary. An amended plan must be submitted to and approved by the department office before any expenditures are incurred on the new activities proposed in the amendment.

(4) The department office shall publish a copy of the standardized format and required content of school readiness program plans on its website.

(5) The department office shall collect and report data on coalition delivery of early learning programs. Elements must include, but need not be limited to, measures related to progress towards reducing the number of children on the waiting list, the percentage of children served by the program as compared to the number of administrative staff and overhead, the percentage of children served compared to total number of children under the age of 5 years below 150 percent of the federal poverty level, provider payment processes, fraud intervention, child attendance and stability, use of child care resource and referral, and kindergarten readiness outcomes for children in the Voluntary Prekindergarten Education Program or the school readiness program upon entry into kindergarten. The department office shall request input from the coalitions and school readiness program providers before finalizing the format and data to be used. The report shall be implemented beginning July 1, 2014, and results of the report must be included in the annual report under s. 1002.82.

Section 52. Paragraphs (a), (b), (c), (e), (f), (m), (n), (p), and (q) of subsection (1) and subsection (3) of section 1002.88, Florida Statutes, are amended, and paragraph (a) is added to subsection (1) of that section, to read:

1002.88 School readiness program provider standards;

eligibility to deliver the school readiness program;

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

(a) Be a child care facility licensed under s. 402.305, a family day care home licensed or registered under s. 402.313, a large family child care home licensed under s. 402.3131, a public school or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care provider exempt from licensure under s. 402.316, a before-school or after-school program described in s. 402.305(1)(c), a child development program operating on a military installation that is certified by the United States Department of Defense and accredited by a national accrediting body, or an informal child care provider to the extent authorized in the state’s Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who has been issued a provisional license pursuant to s. 402.309. A provider may not deliver the program while its license has been converted to a probation-status license.
...is certified by the United States Department of Defense and accredited by a national accrediting body, the
environment that is rich in language and music and filled with
stimulate visual, tactile, auditory, and linguistic senses; and
include 30 minutes of reading to children each day.
(c) Provide basic health and safety of its premises and
facilities and compliance with requirements for age-appropriate
immunizations of children enrolled in the school readiness
program.
1. For a provider that is licensed, compliance with s.
402.305, s. 402.3131, or s. 402.313 and this subsection, as
verified pursuant to s. 402.311, satisfies this requirement.
2. For a provider that is a registered family day care home
or is not subject to licensure or registration by the Department
of Children and Families, compliance with this subsection, as
verified pursuant to s. 402.311, satisfies this requirement.
Upon verification pursuant to s. 402.311, the provider shall
annually post the health and safety checklist adopted by the
department prominently on its premises in plain sight for
visitors and parents and shall annually submit the checklist to
its local early learning coalition.
1. For a child development program operating on a military
installation that is certified by the United States Department
of Defense and accredited by a national accrediting body, the

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(a) Impose any requirement on a child care provider or administrative costs, and a minimum of $300,000 general aggregate coverage. The department office may authorize lower limits upon request, as appropriate. An informal provider must add the coalition as a named certificateholder and as an additional insured. An informal provider must provide the coalition with a minimum of 10 calendar days' advance written notice of cancellation of or changes to coverage. The general liability insurance required by this paragraph must remain in full force and effect for the entire period of the provider’s contract with the coalition.

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

Notwithstanding paragraph (m), for a child development program operating on a military installation that is certified by the United States Department of Defense and accredited by a national accrediting body, the provider may demonstrate liability coverage by affirming that it is subject to the Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

(q) Execute the standard statewide provider contract adopted by the department office.

(a) Collect all parent copayment fees unless a waiver has been granted under s. 1002.84(8).

(j) The department office and the coalitions may not:

(a) Impose any requirement on a child care provider or

(b) Require a provider to administer a preassessment or postassessment or, after its implementation, the program assessment required under s. 1002.67.

Section 53. Subsections (3) through (7) of section 1002.89, Florida Statutes, are renumbered as subsections (2) through (6), respectively, and subsections (2), (3), and (6) of that section are amended, to read:

1002.89 School readiness program; funding.

(2) The department shall administer school readiness program funds and prepare and submit a unified budget request for the school readiness program in accordance with chapter 216.

(4) All instructions to early learning coalitions for administering this section shall emanate from the department office in accordance with the policies of the Legislature.

(5) Costs shall be kept to the minimum necessary for the efficient and effective administration of the school readiness program with the highest priority of expenditure being direct services for eligible children. However, no more than 5 percent of the funds described in subsection (4) subsection (5) may be used for administrative costs and no more than 22 percent of the funds described in subsection (4) subsection (5) may be used in any fiscal year for any combination of administrative costs, and

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quality activities, and nondirect services as follows:
(a) Administrative costs as described in 45 C.F.R. s. 2500
98.52, which shall include monitoring providers using the
performance standards, implementing developmentally appropriate
assessments, and related classroom resources that support
performance, literacy supports, and providing continued
professional development and training. Any grants awarded
pursuant to this subparagraph shall comply with ss. 215.971 and
287.058.
(b) Activities to improve the quality of child care as
described in 45 C.F.R. s. 98.51, which shall be limited to the
following:
1. Developing, establishing, expanding, operating, and
coordinating resource and referral programs specifically related
to the provision of comprehensive consumer education to parents
and the public to promote informed child care choices specified
in 45 C.F.R. s. 98.33.
2. Awarding grants and providing financial support to
school readiness program providers and their staff to assist
them in meeting applicable state requirements for the program
assessment required under s. 1002.82(2)(n), child care
curricula, and related classroom resources that support
curricula, providing literacy supports, and providing continued
professional development and training. Any grants awarded
pursuant to this subparagraph shall comply with ss. 215.971 and
287.058.
3. Providing training, technical assistance, and financial
support to school readiness program providers, staff, and
parents on standards, child screenings, child assessments, child
development research and best practices, developmentally
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As used in this paragraph, the term "nondirect services" does not include payments to school readiness program providers for direct services provided to children who are eligible under s. 402.87, administrative costs as described in paragraph (a), or quality activities as described in paragraph (b).

Section 54. Subsection (1), paragraph (a) of subsection (2), and subsections (4), (5), and (6) of section 1002.895, Florida Statutes, are amended to read:

1002.895 Market rate schedule.—The school readiness program market rate schedule shall be implemented as follows:

(1) The department shall establish procedures for the adoption of a market rate schedule. The schedule must include, at a minimum, county-by-county rates:

(a) The market rate, including the minimum and the maximum rates for child care providers that hold a Gold Seal Quality Care designation under s. 1002.945 and adhere to its accrediting association’s teacher-to-child ratios and group size requirements — 402.381.

(b) The market rate for child care providers that do not hold a Gold Seal Quality Care designation.

(2) The market rate schedule, at a minimum, must:

(a) Differentiate rates by type, including, but not limited to, a child care provider that holds a Gold Seal Quality Care designation under s. 1002.945 and adheres to its accrediting association’s teacher-to-child ratios and group size requirements — 402.381, a child care facility licensed under s. 402.305, a public or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care facility exempt from licensure under s. 402.316 that does not hold a Gold Seal

Quality Care designation, a large family child care home licensed under s. 402.3131, or a family day care home licensed or registered under s. 402.313.

(4) The market rate schedule shall be considered by the Early Learning Program Estimating Conference under s. 216.136(8) to differentiate or misrepresentation may result in unauthorized benefit or another person, or any aiding and abetting of the person or another person, or any aiding and abetting of the

Florida Statutes, are amended to read:

Section 55. Section 1002.91, Florida Statutes, is amended to read:

1002.91 Investigations of fraud or overpayment; penalties.—

(1) As used in this subsection, the term "fraud" means an intentional deception, omission, or misrepresentation made by a person with knowledge that the deception, omission, or misrepresentation may result in unauthorized benefit to that person or another person, or any aiding and abetting of the
commission of such an act. The term includes any act that constitutes fraud under applicable federal or state law.

(2) To recover state, federal, and local matching funds, the department office shall investigate early learning coalitions, recipients, and providers of the school readiness program and the Voluntary Prekindergarten Education Program to determine possible fraud or overpayment. If by its own inquiries, or as a result of a complaint, the department office has reason to believe that a person, coalition, or provider has engaged in, or is engaging in, a fraudulent act, it shall investigate and determine whether any overpayment has occurred due to the fraudulent act. During the investigation, the department office may examine all records, including electronic benefits transfer records, and make inquiry of all persons who may have knowledge as to any irregularity incidental to the disbursement of public moneys or other items or benefits authorizations to recipients.

(3) Based on the results of the investigation, the department office may, in its discretion, refer the investigation to the Department of Financial Services for criminal investigation or refer the matter to the applicable coalition. Any suspected criminal violation identified by the department office must be referred to the Department of Financial Services for criminal investigation.

(4) An early learning coalition may suspend or terminate a provider from participation in the school readiness program or the Voluntary Prekindergarten Education Program when it has reasonable cause to believe that the provider has committed fraud. The State Board of Education office shall adopt by rule appropriate due process procedures that the early learning coalition shall apply in suspending or terminating any provider, including the suspension or termination of payment. If suspended, the provider shall remain suspended until the completion of any investigation by the department office, the Department of Financial Services, or any other state or federal agency, and any subsequent prosecution or other legal proceeding.

(5) If a school readiness program provider or a Voluntary Prekindergarten Education Program provider, or an owner, officer, or director thereof, is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, or is acting as the beneficial owner for someone who has been convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39, the early learning coalition shall refrain from contracting with, or using the services of, that provider for a period of 5 years. In addition, the coalition shall refrain from contracting with, or using the services of, any provider that shares an officer or director with a provider that is convicted of, found guilty of, or pleads guilty or nolo contendere to, regardless of adjudication, public assistance fraud pursuant to s. 414.39 for a period of 5 years.

(6) If the investigation is not confidential or otherwise exempt from disclosure by law, the results of the investigation may be reported by the department office to the appropriate legislative committees, the Department of Children and Families, and such other persons as the department office deems necessary.
(7) The early learning coalition may not contract with a school readiness program provider or a Voluntary Prekindergarten Education Program provider who is on the United States Department of Agriculture National Disqualified List. In addition, the coalition may not contract with any provider that shares an officer or director with a provider that is on the United States Department of Agriculture National Disqualified List.

(8) Each early learning coalition shall adopt an anti-fraud plan addressing the detection and prevention of overpayments, abuse, and fraud relating to the provision of and payment for school readiness program and Voluntary Prekindergarten Education Program services and submit the plan to the department office for approval. The State Board of Education office shall adopt rules establishing criteria for the anti-fraud plan, including appropriate due process provisions. The anti-fraud plan must include, at a minimum:

(a) A written description or chart outlining the organizational structure of the plan’s personnel who are responsible for the investigation and reporting of possible overpayment, abuse, or fraud.
(b) A description of the plan’s procedures for detecting and investigating possible acts of fraud, abuse, or overpayment.
(c) A description of the plan’s procedures for the mandatory reporting of possible overpayment, abuse, or fraud to the Office of Inspector General within the department office.
(d) A description of the plan’s program and procedures for educating and training personnel on how to detect and prevent fraud, abuse, and overpayment.

(e) A description of the plan’s procedures, including the appropriate due process provisions adopted by the department office for suspending or terminating from the school readiness program or the Voluntary Prekindergarten Education Program a recipient or provider who the early learning coalition believes has committed fraud.

(9) A person who commits an act of fraud as defined in this section is subject to the penalties provided in s. 414.39(5)(a) and (b).

Section 56. Subsections (1) and (2) and paragraph (a) of subsection (3) of section 1002.92, Florida Statutes, are amended to read:

1002.92 Child care and early childhood resource and referral.—

(1) As a part of the school readiness program, the department office shall establish a statewide child care resource and referral network that is unbiased and provides referrals to families for child care and information on available community resources. Preference shall be given to using early learning coalitions as the child care resource and referral agencies. If an early learning coalition cannot comply with the requirements to offer the resource information component or does not want to offer that service, the early learning coalition shall select the resource and referral agency for its county or multicounty region based upon the procurement requirements of s. 1002.84(12).

(2) At least one child care resource and referral agency must be established in each early learning coalition’s county or

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multicounty region. The State Board of Education shall adopt rules regarding accessibility of child care resource and referral services offered through child care resource and referral agencies in each county or multicounty region which include, at a minimum, required hours of operation, methods by which parents may request services, and child care resource and referral staff training requirements.

(3) Child care resource and referral agencies shall provide the following services:

(a) Identification of existing public and private child care and early childhood education services, including child care services by public and private employers, and the development of a resource file of those services through the single statewide information system developed by the department under s. 1002.82(2)(q). These services may include family day care, public and private child care programs, the Voluntary Prekindergarten Education Program, Head Start, the school readiness program, special education programs for prekindergarten children with disabilities, services for children with developmental disabilities, full-time and part-time programs, before-school and after-school programs, vacation care programs, parent education, the temporary cash assistance program, and related family support services. The resource file shall include, but not be limited to:

1. Type of program.
2. Hours of service.
3. Ages of children served.
4. Number of children served.
5. Program information.

6. Fees and eligibility for services.
7. Availability of transportation.

Section 57. Subsection (1) of section 1002.93, Florida Statutes, is amended to read:

1002.93 School readiness program transportation services.—
(1) The department office may authorize an early learning coalition to establish school readiness program transportation services for children at risk of abuse or neglect who are participating in the school readiness program, pursuant to chapter 427. The early learning coalitions may contract for the provision of transportation services as required by this section.

Section 58. Subsection (2), paragraphs (b) and (c) of subsection (3), and subsection (4) of section 1002.94, Florida Statutes, are amended to read:

1002.94 Child Care Executive Partnership Program.—
(2) The Child Care Executive Partnership, staffed by the department office, shall consist of a representative of the Executive Office of the Governor and nine members of the corporate or child care community, appointed by the Governor.

(a) Members shall serve for a period of 4 years, except that the representative of the Executive Office of the Governor shall serve at the pleasure of the Governor.

(b) The Child Care Executive Partnership shall be chaired by a member chosen by a majority vote and shall meet at least quarterly and at other times upon the call of the chair. The Child Care Executive Partnership may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, only if the public is given
proper notice of a telecommunications meeting and reasonable
access to observe and, when appropriate, participate.
   (c) Members shall serve without compensation, but may be
reimbursed for per diem and travel expenses in accordance with
s. 112.061.
   (d) The Child Care Executive Partnership shall have all the
powers and authority, not explicitly prohibited by law,
necessary to carry out and effectuate the purposes of this
section, as well as the functions, duties, and responsibilities
of the partnership, including, but not limited to, the
following:
   1. Making recommendations concerning the implementation and
coordination of the school readiness program.
   2. Soliciting, accepting, receiving, investing, and
expending funds from public or private sources.
   3. Contracting with public or private entities as
necessary.
   4. Approving an annual budget.
   5. Providing a report to the Governor, the Speaker of the
House of Representatives, and the President of the Senate on or
before December 1 of each year.

Notwithstanding this subsection, the corporate body politic
previously established by prior law is the corporate body
politic for purposes of this section and shall continue in
existence. All member terms of the existing corporate body
politic expire as of June 30, 2013, and new members shall be
appointed beginning July 1, 2013, in accordance with this
subsection.

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CODING: Words deleted are deletions; words underlined are additions.
(2) The State Board of Education shall adopt rules establishing Gold Seal Quality Care accreditation standards using nationally recognized accrediting standards as well as input from accrediting associations.

(3)(a) In order to be approved by the department for participation in the Gold Seal Quality Care Program, an accrediting association must apply to the department and demonstrate that it:

1. Is a recognized accrediting association.

2. Has accrediting standards that substantially meet or exceed the Gold Seal Quality Care standards adopted by the state board under subsection (2).

3. Is a registered corporation with the Department of State.

4. Can provide evidence that the process for accreditation has, at a minimum, the following components:

(a) Clearly defined prerequisites that a child care provider must meet before beginning the accreditation process;

(b) Procedures for completion of a self-study and a comprehensive onsite verification process for each classroom that documents compliance with accrediting standards;

(c) A training process for accreditation verifiers to ensure inter-rater reliability;

(d) Ongoing compliance procedures to include completion of an audit and filing of an annual report with the department;

(e) Accreditation renewal procedures that include onsite verification at least every 3 years;

(f) A process for verifying continued accreditation compliance in the event of a transfer of ownership of facilities;

(g) Procedures for the revocation of accreditation due to failure to maintain accrediting standards; and

(h) A process to communicate issues that arise during the accreditation period with government entities that have a vested interest in the Gold Seal Quality Care Program, including the department, the Department of Children and Families, the Department of Health, applicable local licensing entities, and the early learning coalition.

(b) Any accrediting association that does not comply with the processes and procedures submitted and approved by the department must be removed as a recognized accrediting association for a period of at least 2 years but no more than 5 years. If an accrediting association is removed from being an approved accrediting association, each child care provider accredited by that association has up to 1 year to obtain a new accreditation from the remaining department approved accreditation associations.

(4) In order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family day care home must meet the following additional criteria:

(a) The child care provider may not have had any Class I violations, as defined by rule by the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of a Class I violation is grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has not had any Class I violations for a period of 2
years.

(b) The child care provider may not have had three or more Class II violations, as defined by rule by the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of three or more Class II violations within a 2-year period is grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has not had any Class II violations for a period of 1 year.

(c) The child care provider may not have been cited for the same Class III violation, as defined by rule by the Department of Children and Families, three or more times and failed to correct the violation within 1 year after the date of each citation, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of the same Class III violation three or more times and failure to correct within the required time during a 2-year period is grounds for termination of the designation until the provider has not had any Class III violations for a period of 1 year.

(5) A child care facility licensed under s. 402.305 or a child care facility exempt from licensing under s. 402.316 that achieves Gold Seal Quality Care status pursuant to this section is considered an educational institution for the purpose of qualifying for exemption from ad valorem tax under s. 196.198.

(6) A child care facility licensed under s. 402.305 or a child care facility exempt from licensing under s. 402.316 that achieves Gold Seal Quality Care status pursuant to this section and that participates in the school readiness program must receive a minimum of a 20 percent rate differential for each enrolled school readiness child by care level and unit of child care. The Early Learning Programs Estimating Conference under s. 216.136(8) may determine a higher rate differential above 20 percent for a school readiness program that maintains group size and teacher-to-child ratios in accordance with its accrediting body standards as a function of setting payment rates, but the rate differential may not exceed 40 percent for each enrolled school readiness child by care level and unit of child care.

(7) The State Board of Education shall adopt rules under ss. 120.53(1) and 120.54 which provide criteria and procedures for reviewing and approving accrediting associations for participation in the Gold Seal Quality Care Program, and conferring and revoking Gold Seal Quality Care provider designations.

Section 60. Section 1002.95, Florida Statutes, is amended to read:

1002.95 Teacher Education and Compensation Helps (TEACH) scholarship program.—

(1) The department office may contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program, which provides educational scholarships to caregivers and administrators of early childhood programs, family day care homes, and large family child care homes. The goal of the program is to increase the education and training for caregivers, increase the compensation for child caregivers who complete the program requirements, and reduce the rate of participant turnover in the field of early childhood education.

(2) The State Board of Education office shall adopt rules
as necessary to administer this section.

Section 61. Subsections (1) and (3) of section 1002.96, Florida Statutes, are amended to read:

1002.96 Early Head Start collaboration grants.—
(1) Contingent upon specific appropriation, the department office shall establish a program to award collaboration grants to assist local agencies in securing Early Head Start programs through Early Head Start program federal grants. The collaboration grants shall provide the required matching funds for public and private nonprofit agencies that have been approved for Early Head Start program federal grants.
(3) The State Board of Education office may adopt rules as necessary for the award of collaboration grants to competing agencies and the administration of the collaboration grants program under this section.

Section 62. Subsection (1) and paragraph (g) of subsection (3) of section 1002.97, Florida Statutes, are amended to read:

1002.97 Records of children in the school readiness program.—
(1) The individual records of children enrolled in the school readiness program provided under this part, held by an early learning coalition or the department office, 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.
(3) School readiness program records may be released to:
(g) Parties to an interagency agreement among early learning coalitions, local governmental agencies, providers of stackable credentials and certifications.

4. Improves outcomes for children to increase kindergarten readiness and early grade success.
(3) The State Board of Education office shall adopt rules
to administer this section.

Section 64. Subsection (3) of section 1003.575, Florida
Statutes, is amended to read:

1003.575 Assistive technology devices; findings;
interagency agreements.—Accessibility, utilization, and
coordination of appropriate assistive technology devices and
services are essential as a young person with disabilities moves
from early intervention to preschool, from preschool to school,
from one school to another, from school to employment or
independent living, and from school to home and community. If an
individual education plan team makes a recommendation in
accordance with State Board of Education rule for a student with
a disability, as defined in s. 1003.01(3), to receive an
assistive technology assessment, that assessment must be
completed within 60 school days after the team’s recommendation.
To ensure that an assistive technology device issued to a young
person as part of his or her individualized family support plan,
individual support plan, individualized plan for employment, or
individual education plan remains with the individual through
such transitions, the following agencies shall enter into
interagency agreements, as appropriate, to ensure the
transaction of assistive technology devices:

(3) The Voluntary Prekindergarten Education Program
administered by the Department of Education and the Office of
Early Learning.

Interagency agreements entered into pursuant to this section
shall provide a framework for ensuring that young persons with
disabilities and their families, educators, and employers are
informed about the utilization and coordination of assistive
technology devices and services that may assist in meeting
transition needs, and shall establish a mechanism by which a
young person or his or her parent may request that an assistive
technology device remain with the young person as he or she
moves through the continuum from home to school to postschool.

Section 65. Section 1007.01, Florida Statutes, is amended
to read:

1007.01 Articulation; legislative intent; purpose; role of
the State Board of Education and the Board of Governors;
Articulation Coordinating Committee.—

(1) It is the intent of the Legislature to facilitate
articulation and seamless integration of the K-20 education
system by building, sustaining, and strengthening relationships
among Early Learning-20 education public organizations, between
public and private organizations, and between the education
system as a whole and Florida’s communities. The purpose of
building, sustaining, and strengthening these relationships is
to provide for the efficient and effective progression and
transfer of students within the education system and to allow
students to proceed toward their educational objectives as
rapidly as their circumstances permit. The Legislature further
intends that articulation policies and budget actions be
implemented consistently in the practices of the Department of
Education and postsecondary educational institutions and
expressed in the collaborative policy efforts of the State Board
of Education and the Board of Governors.

(2) To improve and facilitate articulation systemwide, the
State Board of Education and the Board of Governors shall collaboratively establish and adopt policies with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System and shall recommend the policies to the Legislature. The policies shall relate to:

(a) The alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer.

(b) The identification of common courses, the level of courses, institutional participation in a statewide course numbering system, and the transferability of credits among such institutions.

(c) Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.

(d) Dual enrollment course equivalencies.

(e) Articulation agreements.

(3) The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish the Articulation Coordinating Committee, which shall make recommendations related to statewide articulation policies and issues regarding access, quality, and reporting of data maintained by the education data warehouse, established pursuant to ss. 1001.10 and 1008.31, to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors. The committee shall consist of two members each representing the State University System, the Florida College System, public career and technical education, K-12 education, and nonpublic postsecondary education and one member representing students. The chair shall be elected from the membership. The Office of K-20 Articulation shall provide administrative support for the committee. The committee shall:

(a) Monitor the alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer and make recommendations for improvement.

(b) Propose guidelines for interinstitutional agreements between and among public schools, career and technical education centers, Florida College System institutions, state universities, and nonpublic postsecondary institutions.

(c) Annually recommend dual enrollment course and high school subject area equivalencies for approval by the State Board of Education and the Board of Governors.

(d) Annually review the statewide articulation agreement pursuant to s. 1007.23 and make recommendations for revisions.

(e) Annually review the statewide course numbering system, the levels of courses, and the application of transfer credit requirements among public and nonpublic institutions participating in the statewide course numbering system and identify instances of student transfer and admissions difficulties.

(f) Annually publish a list of courses that meet common general education and common degree program prerequisite requirements at public postsecondary institutions identified pursuant to s. 1007.25.

(g) Foster timely collection and reporting of statewide education data to improve the Early Learning-20 K-20 education data warehouse, established pursuant to ss. 1007.24 and 1007.36.
Section 66. Section 1008.2125, Florida Statutes, is created to read:

1008.2125 Coordinated screening and progress-monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3.—

(i) The primary purpose of the coordinated screening and progress-monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 is to provide information on students' progress in mastering the appropriate grade-level standards to parents, teachers, and school and program administrators. Data must be used by Voluntary Prekindergarten Education Program providers and school districts to improve instruction, by parents and teachers to guide learning objectives and provide timely and appropriate supports and interventions to students not meeting grade level expectations, and by the public to assess the cost benefit of the expenditure of taxpayer dollars. The program shall:

(a) Assess the progress of students in the Voluntary Prekindergarten Education Program through grade 3 in meeting the appropriate expectations in early literacy and math skills and in English Language Arts and mathematics, as required by ss. 1002.67(1)(a) and 1003.41.

(b) Provide data for accountability of the Voluntary Prekindergarten Education Program, as required by s. 1002.68.

(c) Provide baseline data to the department of each student’s readiness for kindergarten, which must be based on each kindergarten student’s progress-monitoring results within the first 30 days of enrollment in accordance with paragraph (2)(a).

(d) Identify the educational strengths and needs of students in the Voluntary Prekindergarten Education Program through grade 3.

(e) Provide teachers with progress-monitoring data to provide timely interventions and supports pursuant to s. 1008.2125(5).

(f) Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels.

(g) Provide information to aid in the evaluation and development of educational programs and policies.

(2) The Commissioner of Education shall design a statewide, standardized screening and progress-monitoring program to assess early literacy, dyslexia, mathematics skills, and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, respectively. The screening and progress-monitoring program must provide interval level and criterion-referenced data that measures equivalent levels of growth; be a developmentally appropriate, valid, and reliable direct assessment; be able to capture data on students who may be performing below grade or developmental level; accurately measure the core content in the applicable grade level standards.
and document learning gains for the achievement of these
standards; and provide teachers with progress monitoring
supports and materials that enhance differentiated instruction
and parent communication. Participation in the screening and
progress-monitoring program is mandatory for all students in the
Voluntary Prekindergarten Education Program and in public
schools. The coordinated screening and progress-monitoring
program must be implemented beginning in the 2021-2022 school
year, as follows:

(a) The Voluntary Prekindergarten Education Program through
grade 3 screening and progress-monitoring program must be
administered within the first 30 days after enrollment, midyear,
and within the last 30 days of the program or school year, in
accordance with the rules adopted by the State Board of
Education. The State Board of Education may adopt alternate
timeframes to address nontraditional school year calendars or
summer programs to ensure that of the Voluntary Prekindergarten
Education Program through grade 3 screening and progress-
monitoring is administered at least 3 times within a year or the
duration of a program.

(b) The results of the Voluntary Prekindergarten Education
Program through grade 3 screening and progress-monitoring
program must be reported to the department in accordance with
rule of the State Board of Education, and maintained in the
department’s Education Data Warehouse.

(3) The Commissioner of Education shall:
(a) Develop a plan, in coordination with the Council for
Early Grade Success, for implementing the Voluntary
Prekindergarten Education Program through grade 3 screening and
progress-monitoring program in consideration of the timelines
required for the completion of the review of the Next Generation
Sunshine State Standards and the Voluntary Prekindergarten
Education Program standards.

(b) Include a request for funding in the agency’s 2021-2022
legislative budget request, and each succeeding budget request,
for procurement and the provision of training to Voluntary
Prekindergarten Education Program providers, early learning
coalitions, and school districts.

(c) Provide any requested data, reports, and information to
the Council for Early Grade Success.

(4) The Council for Early Grade Success, a council as
defined in s. 20.03, is created within the Department of
Education to oversee the coordinated screening and progress-
monitoring program and, except as otherwise provided in this
section, shall operate consistent with s. 20.052.

(a) The council shall review the implementation of,
training for, and outcomes from the coordinated screening and
progress-monitoring program to provide recommendations to the
department that support the state’s grade 3 students in reading
at or above grade level. At a minimum, the council shall:

1. Provide recommendations on the implementation of the
coordinated screening and progress-monitoring program, including
reviewing any procurement solicitation documents and criteria
prior to being published.

2. Develop training plans and timelines.

1. Identify appropriate personnel, processes, and
procedures required for the administration of the coordinated
screening and progress-monitoring program.
4. Provide input on the methodology for calculating a
provider’s or school’s performance metric and the grading system
pursuant to s. 1002.67.

5. Work with the department to identify a methodology for
determining a child’s kindergarten readiness.

6. Review data on age-appropriate learning gains by grade
level that a student would need to attain in order to
demonstrate proficiency in reading by grade 3.

7. Continually review anonymized data from the results of
the coordinated screening and progress-monitoring program for
students in the Voluntary Prekindergarten Education Program
through grade 3 to help inform recommendations to the department
that support practices that will enable grade 3 students to read
at or above grade level.

(b) The council shall be composed of 15 members, all of
whom must be residents of the state, appointed as follows:

1. One representative of the Department of Education and
one parent of a child who is within the range of 4 to 9 years of
age, both appointed by the Governor.

2. Thirteen members jointly appointed by the President of
the Senate and the Speaker of the House of Representatives, as
follows:
   a. One representative of an urban school district.
   b. One representative of a rural school district.
   c. One representative of an urban early learning coalition.
   d. One representative of a rural early learning coalition.
   e. One representative of an early learning provider.
   f. One representative of a faith-based early learning
provider.

(g) One representative who is a kindergarten teacher who has
at least 5 years of teaching experience.

(h) One representative who is a grade 2 teacher who has at
least 5 years of teaching experience.

(i) One representative who is a school principal.

(j) Four representatives with subject matter expertise in
early learning, early grade success, or child assessments, none
of whom may be a direct stakeholder within the 67 early learning
or public school systems or a potential recipient of a contract
negotiated at the recommendation of the council.

(5) The council shall elect a chair and a vice chair. The
chair must be one of the four members with subject matter
expertise in early learning, early grade success, or child
assessments. The vice chair must be a member appointed by the
President of the Senate and the Speaker of the House of
Representatives who is not one of the four members who are
subject matter experts in early learning, early grade success,
or child assessments. Members of the council shall serve without
compensation but are entitled to reimbursement for per diem and
travel expenses pursuant to s. 112.061.

(6) The council must meet at least biannually and may meet
by teleconference or other electronic means, as possible, to
reduce costs.

(7) A majority of the members constitutes a quorum.
Section 67. Paragraphs (b) and (c) of subsection (5) of
section 1008.25, Florida Statutes, are redesignated as
paragraphs (c) and (d), respectively, paragraph (b) of
subsection (6), subsection (7), and paragraph (a) of subsection
(8) are amended, and a new paragraph (b) is added to subsection
(5) of that section, to read:
1008.25 Public school student progression; student support; reporting requirements.—
(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—
(b) Any Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early literacy in accordance with the standards under s. 1002.67(1)(a) and based upon the results of the administration of the final progress monitoring screening in s. 1008.2125 must be referred to the local school district and may be eligible to receive intensive reading interventions before participating in kindergarten. The intensive reading interventions may be paid for using funds from the district’s research-based reading instruction allocation in accordance with s. 1011.62(9).

(6) ELIMINATION OF SOCIAL PROMOTION.—
(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(a), paragraph (5)(b), for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Good cause exemptions are limited to the following:
1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.
2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.
3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.
4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.
5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.
6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.
7. SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—
(a) Students retained under paragraph (5)(c), paragraph (5)(b), for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Good cause exemptions are limited to the following:
1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.
2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.
3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.
4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.
5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.
6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.
Ameliorate the student’s specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.

2. Participation in the school district’s summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1.

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:
   a. Integration of content-rich texts in science and social studies within the 90-minute block.
   b. Small group instruction.
   c. Reduced teacher-student ratios.
   d. More frequent progress monitoring.
   e. Tutoring or mentoring.
   f. Transition classes containing 3rd and 4th grade students.
   g. Extended school day, week, or year.

(b) Each school district shall:

1. Provide written notification to the parent of a student who is retained under paragraph (5)(c) paragraph (5)(c) paragraph (5)(c) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The

CODING: Words are deletions; words are additions.
2. The intensive reading acceleration course must provide the following:
   a. Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas through content-rich texts.
   b. Small group instruction.
   c. Reduced teacher-student ratios.
   d. The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.
   e. A read-at-home plan.

(8) ANNUAL REPORT.—
(a) In addition to the requirements in paragraph (5)(c), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student’s results on each statewide, standardized assessment. The evaluation of each student’s progress must be based upon the student’s classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5)(a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

Section 68. Section 1008.31, Florida Statutes, is amended to read:
1008.31 Florida’s Early Learning-2020 education performance accountability system; legislative intent; mission, goals, and statewide measures; data quality improvements.—
(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:
(a) The performance accountability system implemented to assess the effectiveness of Florida’s seamless Early Learning-2020 education delivery system provide answers to the following questions in relation to its mission and goals:
1. What is the public receiving in return for funds it invests in education?
2. How effectively is Florida’s Early Learning-2020 education system educating its students?
3. How effectively are the major delivery sectors promoting student achievement?
4. How are individual schools and postsecondary education institutions performing their responsibility to educate their students as measured by how students are performing and how much they are learning?
(b) The Early Learning-2020 education performance accountability system be established as a single, unified accountability system with multiple components, including, but not limited to, student performance in public schools and school and district grades.
(c) The Early Learning-2020 education performance accountability system comply with the requirements of the “No Child Left Behind Act of 2001,” Pub. L. No. 107-110, and the
Individuals with Disabilities Education Act (IDEA).

(d) The early learning accountability system comply with
the requirements of Part V and Part VI of chapter 1002 and the
requirements of the Child Care and Development Block Grant Trust
Fund, pursuant to 45 C.F.R. parts 98 and 99.

(e) The State Board of Education and the Board of
Governors of the State University System recommend to the
Legislature systemwide performance standards; the Legislature
establish systemwide performance measures and standards; and the
systemwide measures and standards provide Floridians with
information on what the public is receiving in return for the
funds it invests in education and how well the Early Learning-20
system educates its students.

(f) The State Board of Education establish
performance measures and set performance standards for
individual public schools and Florida College System
institutions, with measures and standards based primarily on
student achievement.

2. The Board of Governors of the State University System
establish performance measures and set performance standards for
individual state universities, including actual completion
rates.

(2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—
(a) The mission of Florida’s Early Learning-20 education system shall be to increase the proficiency of all
students within one seamless, efficient system, by allowing them
the opportunity to expand their knowledge and skills through
learning opportunities and research valued by students, parents,
and communities.

(b) The process for establishing state and sector-specific
standards and measures must be:
1. Focused on student success.
2. Addressable through policy and program changes.
3. Efficient and of high quality.
4. Measurable over time.
5. Simple to explain and display to the public.
6. Aligned with other measures and other sectors to support
a coordinated Early Learning-20 education system.
(c) The Department of Education shall maintain an
accountability system that measures student progress toward the
following goals:
1. Highest student achievement, as indicated by evidence of
student learning gains at all levels.
2. Seamless articulation and maximum access, as measured by
evidence of progression, readiness, and access by targeted
groups of students identified by the Commissioner of Education.
3. Skilled workforce and economic development, as measured
by evidence of employment and earnings.
4. Quality efficient services, as measured by evidence of
return on investment.
5. Other goals as identified by law or rule.

(3) EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
data required to implement education performance accountability
measures in state and federal law, the Commissioner of Education
shall initiate and maintain strategies to improve data quality
and timeliness. The Board of Governors shall make available to
the department all data within the State University Database
System to be integrated into the education data warehouse.
The commissioner shall have unlimited access to such data for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the education data warehouse in a format based on data elements identified by the commissioner.

(a) School districts and public postsecondary educational institutions shall maintain information systems that will provide the State Board of Education, the Board of Governors of the State University System, and the Legislature with information and reports necessary to address the specifications of the accountability system. The level of comprehensiveness and quality must be no less than that which was available as of June 30, 2001.

(b) Colleges and universities eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program shall annually report student-level data from the prior year for each student who receives state funds in a format prescribed by the Department of Education. At a minimum, data from the prior year must include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. By October 1 of each year, the colleges and universities described in this paragraph shall report the data to the department.

(c) The Commissioner of Education shall determine the standards for the required data, monitor data quality, and measure improvements. The commissioner shall report annually to the State Board of Education, the Board of Governors of the State University System, the President of the Senate, and the Speaker of the House of Representatives data quality indicators and ratings for all school districts and public postsecondary educational institutions.

(d) Before establishing any new reporting or data collection requirements, the commissioner shall use existing data being collected to reduce duplication and minimize paperwork.

(4) RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section relating to the education data warehouse.

Section 69. Section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(1) In order to ensure compliance with law or state board rule, the State Board of Education shall have the authority to request and receive information, data, and reports from early learning coalitions, school districts, and Florida College System institutions. Early Learning Coalition chief executive officers or executive directors, district school superintendents, and Florida College System institution
(a) Report to the Legislature that the early learning coalition, school district, or Florida College System institution board of trustees to document compliance with law or state board rule.

(b) The Commissioner of Education shall report to the State Board of Education any findings by the Auditor General that an early learning coalition, a district school board, or a Florida College System institution is acting without statutory authority or contrary to general law. The State Board of Education shall impose state requirements on school districts in order to ensure that the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with such law.

(c) If the early learning coalition, district school board, or Florida College System institution board of trustees cannot satisfactorily document compliance, the State Board of Education may order compliance within a specified timeframe.

(4) If the State Board of Education determines that an early learning coalition, a district school board, or a Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(a) Report to the Legislature that the early learning coalition, school district, or Florida College System institution is unwilling or unable to comply with law or state board rule and recommend action to be taken by the Legislature.

(b) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the early learning coalition, school district, or Florida College System institution complies with the law or state board rule.

(c) Declare the early learning coalition, school district, or Florida College System institution ineligible for competitive grants.

(d) Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.

(5) Nothing in this section shall be construed to create a private cause of action or create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

Section 70. Paragraph (a) of subsection (3) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—

(a) The academic performance of all students has a significant effect on the state school system. Pursuant to Art. IX of the State Constitution, which prescribes the duty of the State Board of Education to supervise Florida’s public school system, the state board shall equitably enforce the accountability requirements of the state school system and may impose state requirements on school districts in order to improve the academic performance of all districts, schools, and students based upon the provisions of the Florida Early Learning-20 K-20 Education Code, chapters 1000-1013; the federal...
additional hour shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students’ specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading.

(b) Funds for comprehensive, research-based reading instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district’s proportionate share of K-12 base funding.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs and certain students who exhibit a substantial deficiency in early literacy and completed the Voluntary Prekindergarten Education Program pursuant to s. 1008.25(5)(b). The system—which may include the following:

1. An additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading as required in...
2. Kindergarten through grade 5 reading intervention
teachers to provide intensive intervention during the school day
and in the required extra hour for students identified as having
a reading deficiency.

3. Highly qualified reading coaches to specifically support
teachers in making instructional decisions based on student
data, and improve teacher delivery of effective reading
instruction, intervention, and reading in the content areas
based on student need.

4. Professional development for school district teachers in
scientifically based reading instruction, including strategies
to teach reading in content areas and with an emphasis on
technical and informational text, to help school district
teachers earn a certification or an endorsement in reading.

5. Summer reading camps, using only teachers or other
district personnel who are certified or endorsed in reading
consistent with s. 1008.25(7)(b)3., for all students in
kindergarten through grade 2 who demonstrate a reading
deficiency as determined by district and state assessments; and
students in grades 3 through 5 who score at Level 1 on the
statewide, standardized English Language Arts assessment; and
certain students who exhibit a substantial deficiency in early
literacy and completed the Voluntary Prekindergarten Education Program pursuant to s. 1008.25(5)(b).

6. Supplemental instructional materials that are grounded
in scientifically based reading research as identified by the
Just Read, Florida! Office pursuant to s. 1001.215(8).

7. Intensive interventions for students in kindergarten
through grade 12 who have been identified as having a reading
deficiency or who are reading below grade level as determined by
the statewide, standardized English Language Arts assessment or
for certain students who exhibit a substantial deficiency in
early literacy and completed the Voluntary Prekindergarten
Education Program pursuant to s. 1008.25(5)(b).

(d)(1) Annually, by a date determined by the Department of
Education but before May 1, school districts shall submit a comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall provide for intensive reading interventions through integrated curricula, provided that, beginning with the 2020-2021 school year, the interventions are delivered by a teacher who is certified or endorsed in reading. Such interventions must incorporate strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). No later than July 1 annually, the department shall release the school district’s
allocation of appropriated funds to those districts having
approved plans. A school district that spends 100 percent of
this allocation on its approved plan shall be deemed to have
been in compliance with the plan. The department may withhold
funds upon a determination that reading instruction allocation
funds are not being used to implement the approved plan. The
department shall monitor and track the implementation of each
district plan, including conducting site visits and collecting
specific data on expenditures and reading improvement results.
By February 1 of each year, the department shall report its
findings to the Legislature.

2. Each school district that has a school designated as one
of the 300 lowest-performing elementary schools as specified in
paragraph (a) shall specifically delineate in the comprehensive
reading plan, or in an addendum to the comprehensive reading
plan, the implementation design and reading intervention
strategies that will be used for the required additional hour of
reading instruction. The term “reading intervention” includes
evidence-based strategies frequently used to remediate reading
deficiencies and also includes individual instruction, tutoring,
mentoring, or the use of technology that targets specific
reading skills and abilities.

Section 72. Paragraph (b) of subsection (1) of section
1002.22, Florida Statutes, is amended to read:

1002.22 Education records and reports of K-12 students;
rights of parents and students; notification; penalty.—
(1) DEFINITIONS.—As used in this section, the term:
(b) “Institution” means any public school, center,
institution, or other entity that is part of Florida’s education
system under s. 1000.04(2), (4), and (5).—

Section 73. Paragraph (b) of subsection (5) of section
1002.53, Florida Statutes, is amended to read:

1002.53 Voluntary Prekindergarten Education Program;
eligibility and enrollment.—
(5) The early learning coalition shall provide each parent
enrolling a child in the Voluntary Prekindergarten Education
Program with a profile of every private prekindergarten provider
and public school delivering the program within the county where
the child is being enrolled. The profiles shall be provided to
parents in a format prescribed by the Office of Early Learning.
The profiles must include, at a minimum, the following
information about each provider and school:
(b) The provider's or school's kindergarten readiness rate
calculated in accordance with s. 1002.69, based upon the most
recent available results of the statewide kindergarten
screening.

Section 74. This act shall take effect July 1, 2020.
Feb 25 2020
Meeting Date

SB 1688
Bill Number (if applicable)

Topic: Early learning

Name: Marie Claire Leman

Job Title: Parent + Education Advocate

Address: 1911 Wahalaw Ctr
Street

Tallahassee, FL 32301
City State Zip

Phone: 850-728-7514

Email: marieclaire.leman@gmail.com

Speaking: ☑️ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☑️ Against
(The Chair will read this information into the record.)

Representing: myself

Appearing at request of Chair: ☑️ Yes ☐ No
Lobbyist registered with Legislature: ☑️ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
Early Learning & Early Grade Success

James Herzog

Associate Director for Education

201 W Park Ave

Tallahassee, FL 32301

(850) 205-6823

jherzog@flaceb.org

For

Florida Conference of Catholic Bishops

Yes

No

Yes

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
APPEARANCE RECORD

Meeting Date: 2-25-2020

Bill Number: SB 1688

Topic: Early Learning

Name: Dr. Sally Butzin

Job Title: Volunteer

Address: 1428 Woodgate Way

City: Tallahassee

State: FL

Zip: 32308

Phone: 850-728-1097

Email: sally.butzin@gmail.com

Speaking: Against

Representing: League of Women Voters of Florida

Waive Speaking: In Support

Appearing at request of Chair: No

Lobbyist registered with Legislature: No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/25/20
Meeting Date

1688
Bill Number (if applicable)

______________________________
Amendment Barcode (if applicable)

Topic ________________________________

Name Jared Ochs

Job Title Director of Legislative Affairs

Address 325 West Gaines Street
Street ________________________________
Tallahassee FL 32399
City State Zip

Phone ________________________________
Email jared.ochs@fldoe.org

Speaking: □ For □ Against □ Information
Waive Speaking: ✓ In Support □ Against
(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: □ Yes ✓ No
Lobbyist registered with Legislature: ✓ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

2/25/2020
Meeting Date

Topic Early Learning and Early Grade Success

Name Matthew Choy

Job Title Policy Director

Address 136 S. Bronough St
Street
Tallahassee FL 32311
City State Zip

Phone 561-386-3451

Email mchoy@flchamber.com

Speaking: □ For □ Against □ Information
Waive Speaking: ☑ In Support □ Against
(The Chair will read this information into the record.)

Representing The Florida Chamber of Commerce

Appearing at request of Chair: □ Yes ☑ No
Lobbyist registered with Legislature: ☑ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
2/25/20
Meeting Date

Topic: Early Learning & Early Grade

Name: Dawn Steward

Job Title: Legis Comm Member

Address: 2130 Blossom Lane
Winter Park FL 32789

Phone: 407-645-0203

Email: stu2130@me.com

Speaking: [] For [] Against [] Information

Waive Speaking: [] In Support [] Against
(The Chair will read this information into the record.)

Representing: Florida PTA

Appearing at request of Chair: [] Yes [] No

Lobbyist registered with Legislature: [] Yes [] No

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2/25

Bill Number (if applicable): 1688

Amendment Barcode (if applicable):

Topic: Early Learning + Early Grades Success

Name: Megan Turcotte

Job Title: Government Affairs Manager

Address: 600 W Commercial Blvd

Phone: 954-551-0733

City: Lauderhill

State: FL

Zip: 33319

Email: Mturcotte@cscbroward.org

Waive Speaking: ☑ In Support  ☐ Against

(The Chair will read this information into the record.)

Representing: Children's Services Council of Broward County

Appearing at request of Chair: ☐ Yes  ☐ No

Lobbyist registered with Legislature: ☐ Yes  ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
2/25/20
Meeting Date

Early Learning: Early Grade Success
Topic
Heather Davidson
Name
Director, Public Policy
Job Title
1300 E. Andrews Ave.
Address
Fort Lauderdale, FL 33316
City State Zip

954-308-9247
Phone
bdavidson@unitedwaybroward.org
Email

For
Against
Information
Speaking:

In Support
Waive Speaking:
Against
(The Chair will read this information into the record.)

United Way of Broward County
Representing

Appearing at request of Chair: Yes No
Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
The Florida Senate

Appearance Record

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2-25-2020

Bill Number (if applicable): 1485

Amendment Barcode (if applicable)

Topic: Early Learning and Early Care

Name: Natalie King

Job Title: VP/COO

Address: 235 W Brandon Blvd 640

Phone: 813-924-8218

Email: natalie@isw.com

City: Brandon

State: FL

Zip: 33511

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against

(The Chair will read this information into the record.)

Representing: United Way Suncoast

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
2/25/20  
Meeting Date

Topic Early Learning and Early Grade Success

Name Carol Bracy

Job Title Consultant

Address 201 East Park Avenue
Street
Tallahassee FL 32301
City State Zip

Phone 850.577.0444
Email carol@ballardpartners.com

Speaking: □ For □ Against □ Information  
Waive Speaking: □ In Support □ Against  
(The Chair will read this information into the record.)

Representing The Florida Children's Council

Appearing at request of Chair: □ Yes □ No  
Lobbyist registered with Legislature: □ Yes □ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
2/25/20
Meeting Date

1688
Bill Number (if applicable)

Topic
Early Learning

Name
Erin Smeltzer

Job Title
Executive Director

Address
201E B S. Monroe St.
Tallahassee, FL 32301

Phone
850-577-1789

Email
esmeltzer@aelcf.org

Speaking:

☐ For  ☐ Against  ☐ Information

Waive Speaking:
✓ In Support  ☐ Against
(The Chair will read this information into the record.)

Representing
Association of Early Learning Coalitions

Appearing at request of Chair:
☐ Yes  ✓ No

Lobbyist registered with Legislature:
☐ Yes  ✓ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.
THE FLORIDA SENATE

APPEARANCE RECORD

Meeting Date: 2/25/20

Bill Number (if applicable): SB 1688

Amendment Barcode (if applicable): 

Topic: Early Learning at Early Grade Success

Name: Rev. James T. Bullock

Job Title: Pastor, AME Social Action

Address: 4815 11th Ave Cir E. Bradenton, FL 34208

Phone: 941-773-4051

Email: jametaylorgodwin@comcast.net

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against
(The Chair will read this information into the record.)

Representing: Pastors for Florida Children

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)
Early Learning
Tara Reid
Consultant
200 W. College Ave
Street
tallahassee FL 32301
City State Zip

For Against Information

In Support Against

The Children’s Movement of Florida

Yes No

Yes No

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date  2/25/20

Bill Number (if applicable)  SB 1688

Amendment Barcode (if applicable)

Topic  Early Learning Grades

Name  Linda Edson

Job Title  Legislative Chair - Volunteer

Address  1841 Myrick Rd
          Tallahassee, FL 32303

Phone  850-510-2729

Email  edsonl@nettally.com

Speaking:  [ ] For  [ ] Against  [ ] Information

Waive Speaking:  [ ] In Support  [X] Against
(The Chair will read this information into the record.

Representing  Florida Retired Educators Association

Appearing at request of Chair:  [ ] Yes  [X] No

Lobbyist registered with Legislature:  [ ] Yes  [X] No

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meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)
APPEARANCE RECORD

(2-25-20)
Meeting Date

EARLY LEARNING
Topic

DAVID DANIEL
Name

311 EAST PARK AVE
Address

224-5081
Phone

FL
State

32301
Zip

Yes
Appearing at request of Chair: No
Lobbyist registered with Legislature: Yes

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This form is part of the public record for this meeting.
2/25/2020
Meeting Date

SB 1688
Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic ________________________________

Name Jessica Evans

Job Title ESE/K12 Teacher

Address 164B Fernmore Ln
City Palm Coast
State FL
Zip 32137

Phone 386-931-0402
Email jlierwe@yahoo.com

Speaking: [] For  [] Against  [] Information  Waive Speaking: [] In Support  [X] Against
(The Chair will read this information into the record.)

Representing [ ] Self

Appearing at request of Chair: [ ] Yes  [ ] No  Lobbyist registered with Legislature: [ ] Yes  [ ] No

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This form is part of the public record for this meeting.

S-001 (10/14/14)
2-25-2020
Meeting Date

Topic ____________________________________________

Name Susan J. Grego

Job Title Teacher

Address 230 Boulder Rock Dr
Palm Coast, FL 32137

City State Zip

Phone ______________________________

Email pinkfloatsk@gmail.com

Speaking: [ ] For [ ] Against [ ] Information
Waive Speaking: [ ] In Support [X] Against
(The Chair will read this information into the record.)

Representing [ ] Self

Appearing at request of Chair: [ ] Yes [ ] No
Lobbyist registered with Legislature: [ ] Yes [ ] No

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THE FLORIDA SENATE
APPEARANCE RECORD

(Place BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 2-25-20

SB 1688

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic

Name Stacey Smith

Job Title Teacher

Address 27 Egan Drive

Phone 386-313-6534

Email dagnir17@gmail.com

City Palm Coast

State FL

Zip 32137

Speaking: ☐ For ☐ Against  ☐ Information

Waive Speaking:  ☐ In Support  ☑ Against

(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair:  ☐ Yes  ☐ No

Lobbyist registered with Legislature:  ☐ Yes  ☐ No

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S-001 (10/14/14)