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<th>Tab 6</th>
<th>SB 1568 by Hutson; Education</th>
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<th>Tab 8</th>
<th>SB 1696 by Perry (CO-INTRODUCERS) Cruz; (Similar to CS/H 07011) Student Athletes</th>
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<tr>
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<th>SB 190 by Montford (CO-INTRODUCERS) Harrell, Berman, Cruz; (Identical to H 00081) Medicaid School-based Services</th>
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<th>Tab 7</th>
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## COMMITTEE MEETING EXPANDED AGENDA

**EDUCATION**

**Senator Diaz, Chair**  
**Senator Montford, Vice Chair**

### MEETING DATE:
Monday, January 27, 2020

### TIME:
1:30—3:30 p.m.

### PLACE:
Pat Thomas Committee Room, 412 Knott Building

### MEMBERS:
Senator Diaz, Chair; Senator Montford, Vice Chair; Senators Baxley, Berman, Cruz, Perry, Simmons, and Stargel

### TAB BILL NO. and INTRODUCER

<table>
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<tr>
<th>TAB</th>
<th>BILL NO. and INTRODUCER</th>
<th>BILL DESCRIPTION and SENATE COMMITTEE ACTIONS</th>
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| 1   | SB 190 Montford  
    (Identical H 81) | Medicaid School-based Services; Revising applicable provisions for the reimbursement of school-based services by the Agency for Health Care Administration to certain school districts; deleting a requirement specifying the use of certified state and local education funds for school-based services; revising a requirement for the agency’s reimbursement of school-based services to certain charter and private schools; specifying the federal agency that may waive certain school-based provider qualifications, etc. | Favorable  
    Yeas 7 Nays 0 |
|     |                        |                                               | 01/27/2020 Favorable  
    ED  
    HP  
    AP |
| 2   | SB 738 Harrell  
    (Identical H 393) | Jury Service; Requiring certain students actively enrolled in specified schools to be excused from jury service upon request, etc. | Favorable  
    Yeas 7 Nays 0 |
|     |                        |                                               | 12/10/2019 Favorable  
    JU  
    ED  
    RC |
| 3   | SB 774 Diaz | Public Records and Meetings/Applicant for President/State University or Florida College System Institution; Providing an exemption from public records requirements for any personal identifying information of an applicant for president of a state university or Florida College System institution; providing an exemption from public meeting requirements for any meeting held for the purpose of identifying or vetting applicants for president of a state university or Florida College System institution and for any portion of a meeting held for the purpose of establishing qualifications of, or any compensation framework to be offered to, such potential applicants which would disclose personal identifying information of an applicant or potential applicant; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity, etc. | Favorable  
    Yeas 6 Nays 1 |
|     |                        |                                               | 01/27/2020 Favorable  
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<td>4</td>
<td>SB 876 Gibson</td>
<td>Historically Black Colleges and Universities Matching Endowment Scholarship Program; Establishing the Historically Black Colleges and Universities Matching Endowment Scholarship Program within the Department of Education; requiring a historically black college or university to provide a certain amount of matching funds by a specified date to participate in the program; providing that the interest will be used to provide scholarships to certain students, etc.</td>
<td>Favorable Yeas 7 Nays 0</td>
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<td>(Identical H 383)</td>
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<td>5</td>
<td>SB 946 Baxley</td>
<td>Moments of Silence in Public Schools; Requiring that public school principals require teachers to set aside time for a moment of silence at the beginning of each school day; prohibiting teachers from making suggestions as to the nature of any reflection that a student may engage in during the moment of silence; requiring certain teachers to encourage parents to discuss the moment of silence with their children and to make suggestions as to the best use of this time, etc.</td>
<td>Favorable Yeas 6 Nays 1</td>
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<td>(Similar H 737)</td>
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<td>6</td>
<td>SB 1568 Hutson</td>
<td>Education; Providing that individuals enrolled in certain preapprenticeship programs are deemed to be employees of the state for purposes of workers' compensation coverage; providing for the general duties of the Department of Education with regard to apprenticeship and preapprenticeship programs; requiring the apprenticeship or preapprenticeship program sponsors to be responsible for the selection and training of instructors, as approved by the department; revising criteria for apprenticeship occupations; revising the calculation of certain additional full-time equivalent membership relating to funding for the operation of schools, etc.</td>
<td>Fav/CS Yeas 7 Nays 0</td>
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<td>7</td>
<td>SB 1688 Harrell</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>Favorable Yeas 7 Nays 0</td>
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<td>ED 01/27/2020 Favorable</td>
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| 8   | SB 1696 Perry          | Student Athletes; Revising requirements for the availability of automated external defibrillators on school grounds; delaying implementation of a requirement that certain school employees and volunteers complete specified training; requiring that a medical evaluation be performed before a student begins conditioning; applying requirements related to medical evaluations to activities occurring outside the school year, etc. | Fav/CS Yeas 8 Nays 0 |
|     |                        | ED 01/27/2020 Fav/CS                        |                  |
|     |                        | CF RC                                        |                  |

Other Related Meeting Documents
Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1568 modifies Florida’s career and technical education program to improve and expand apprenticeship and preapprenticeship programs, provide supports for students in work-based learning programs, specify career education requirements for middle school promotion and high school graduation, modify funding incentives for industry certifications, and provide relevant mathematics pathways. Specifically, the bill:

- Broadens the scope of apprenticeship and preapprenticeship programs (programs) to additional apprenticeship program sponsors (sponsors) and occupations, and:
  - Specifies that programs lead toward occupations, rather than trades.
  - Clarifies that sponsors are responsible for program supervision, subject to uniform minimum standards developed by the Department of Education (DOE).
  - Includes state universities as partners in the provision of apprenticeship instruction.
  - Clarifies the duties of the DOE regarding apprenticeship and preapprenticeship programs.
  - Revises the membership and scope of the State Apprenticeship Advisory Council.
  - 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 for medically necessary care only.

- Modifies provisions related to elementary and secondary career education to:
  - Make optional the middle school course in career and education planning, and authorizes the Florida Virtual School to offer the course.
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 by:
o Clarifying Commissioner of Education authority regarding CAPE industry certifications and CAPE Digital Tool Certificates.
o Modifying the award and use of CAPE industry certification bonus funds relating to credit awarded under statewide articulation agreements.
o Providing bonus funds for aviation and aerospace industry certifications.
- Requires the Articulation Coordinating Committee to identify mathematics pathways aligned to programs, meta-majors, and careers.

The fiscal impact is discussed in section V.

The bill takes effect on July 1, 2020.

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:

Apprenticeship and Preapprenticeship Programs

The Florida Legislature has established educational opportunities for young people in the state to be trained for trades, occupations, and professions suited to their abilities.¹

Present Situation

The federal government works in cooperation with states to oversee the nation’s apprenticeship programs. States have the authority to register apprenticeship programs through federally-recognized State Apprenticeship Agencies.² In Florida, the Department of Education (DOE) serves as the registering entity to ensure compliance with federal and state apprenticeship standards, provide technical assistance, and conduct quality assurance assessments.³

Apprenticeships and Preapprenticeships in Florida

Florida continues to promote apprenticeships in occupations throughout industry that require physical manipulative skills. By broadening job training opportunities and providing for increased coordination between public school academic programs, career programs, and registered apprenticeship programs, the residents of this state will benefit from the valuable

¹ Chapter 446, F.S.
² 29 C.F.R. ss. 29.1 and 29.13.
³ 29 C.F.R. s. 29.2.
training opportunities developed when on-the-job training is combined with academic-related classroom experiences.  

An apprenticeable occupation is a skilled trade which possesses all of the following characteristics:  

- It is customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training.  
- It is commonly recognized throughout the industry or recognized with a positive view towards changing technology.  
- It involves manual, mechanical, or technical skills and knowledge requiring a minimum of 2,000 hours of work and training, which hours are excluded from the time spent at related instruction.  
- It requires related instruction to supplement on-the-job training. Such instruction may be given in a classroom or through correspondence courses.  
- It involves the development of skills sufficiently broad to be applicable in like occupations throughout an industry, rather than of restricted application to the products or services of any one company.  
- It does not fall into any of the following categories: selling, retailing, or similar occupations in the distributive field; managerial occupations; professional and scientific vocations for which entrance requirements customarily require an academic degree.  

Registered Apprenticeship  

Registered apprenticeship is an employer-driven, on-the-job workforce educational training program that connects job seekers looking to learn new skills and career opportunities with employers looking to create a pipeline of highly skilled individuals for their workforce.  

The key components of a Florida registered apprenticeship program are as follows:  

- Registration of program standards of apprenticeship with the DOE for federal purposes.  
- Employers are the foundation of every Florida-registered apprenticeship program.  
- Apprentices receive on-the-job training (OJT) from an experienced journeyworker or mentor.  
- Apprentices combine OJT learning with technical instruction at Florida College System (FCS) institutions, school district technical colleges, apprenticeship training schools, union training facilities, or at the employer’s facility and can be delivered in a classroom, on-line, correspondence, or any combination thereof.  
- Apprentices receive increases in wages as their skill levels and knowledge increase.  
- The successful completion of a registered apprenticeship program results in a nationally recognized credential issued by the FDOE, which confirms for potential future employers that the apprentice is fully qualified for the job; and  
- Apprentices who complete a Florida-registered apprenticeship program may be accepted by their respective industry as a journey worker.  

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4 Section 446.011(1), F.S.  
5 Section 446.092, F.S.  
7 Id.
Apprenticeship Program Sponsors

Registered apprenticeship program sponsors (sponsors) are responsible for the administration of all aspects of a registered apprenticeship program. Sponsors must be approved by the DOE, based upon a determination of need, if the sponsor meets all of the standards established by the DOE. The term “need” refers to the need of state residents for apprenticeship training. In the absence of proof to the contrary, it is presumed that there is need for apprenticeship and preapprenticeship training in each county in this state. A local sponsor may be a committee, a group of employers, an employer, or a group of employees, or any combination thereof.

Apprenticeship Programs

An “apprentice” is a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journeyman craftsmen, which should be combined with properly coordinated studies of technical and supplementary subjects. An apprentice must enter into an apprentice agreement with a sponsor who may be either an employer, an association of employers, or a local joint apprenticeship committee.

Potential candidates for apprenticeships may apply with a registered sponsor, who determines whether the candidate meets the required qualifications. Sponsors may provide private classroom instruction or coordinate with a local educational agency to provide related supplemental classroom instruction. The apprentices are exempt from paying tuition and fees at a school district technical center, FCS institution, or state university.

The sponsor operates and registers an agreed-upon apprenticeship program. An apprenticeship program is an organized course of instruction, registered and approved by the DOE that contains all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices.

The administration and supervision of related and supplemental instruction for apprentices, coordination of such instruction with job experiences, and selection and training of teachers and coordinators for such instruction is the responsibility of the appropriate career education

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9 Section 446.071(1), F.S.
10 Section 446.071(2), F.S.
11 Section 446.021(2), F.S.
13 Though not defined in the federal regulations governing the U.S. Department of Labor, the U.S. Department of Education regulations define a local educational agency as a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program. 34 C.F.R. s. 400.4.
14 Section 446.051(2), F.S.
15 Section 1009.25(1)(b), F.S.
16 Rule 65A-23.002(21), F.A.C.
17 Section 446.021(6), F.S. An apprenticeship agreement may not operate to invalidate any apprenticeship provision in a collective agreement between employers and employees which establishes higher apprenticeship standards. Section 446.081(1), F.S.
The career education institution is encouraged to provide facilities, equipment and supplies, and instructors’ salaries for the performance of related and supplemental instruction associated with the registered program.

According to the DOE, there are currently 230 registered apprenticeship programs, and 12,765 registered apprentices.

Preapprenticeship Programs

A preapprentice is any person 16 years of age or over engaged in any course of instruction in the public school system or elsewhere, which course is registered as a preapprenticeship program with the DOE. The program’s purpose is to provide training that will enable students, upon completion, to obtain entrance into a registered apprenticeship program. The program must be registered with the DOE and sponsored by a registered apprenticeship program. According to the DOE, there are currently 22 registered preapprenticeship programs, and 1,077 registered preapprentices.

The DOE is authorized to administer the law relating to preapprenticeship programs in cooperation with district school boards and FCS institution boards of trustees (BOT). District school boards, FCS institution BOT, and sponsors must cooperate in developing and establishing preapprenticeship programs that include career instruction and general education courses required to obtain a high school diploma.

Department of Education Responsibilities

The DOE is responsible for administering, facilitating, and supervising registered apprenticeship programs, including, but not limited to:

- Developing and encouraging apprenticeship programs.
- Registering any apprenticeship or preapprenticeship program, regardless of affiliation, which meets standards established by the DOE.
- Cooperating with and assisting sponsors to develop apprenticeship standards and training requirements.
- Monitoring registered apprenticeship programs.
- Leading and coordinating outreach efforts to educate veterans about apprenticeship and career opportunities.
- Investigating complaints regarding failure to meet the standards established by the DOE.

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18 Section 446.051(1), F.S.
19 Section 446.051(2), F.S.
20 Email, Florida Department of Education (Jan. 23, 2020).
21 Section 446.021(1), F.S.
22 Rule 6A-23.010(1), F.A.C.
23 Section 446.021(5), F.S.
24 Email, Florida Department of Education (Jan. 23, 2020).
25 Sections 446.011 to 446.092, F.S.
26 Section 446.052(2), F.S.
27 Section 446.041, F.S.
28 Apprenticeship programs may be in both non-union and union workplaces; sponsors may include employers, labor organizations, and joint labor-management organizations. United States Department of Labor, Frequently Asked Questions, https://www.dol.gov/apprenticeship/toolkit/toolkitfaq.htm#3b (last visited Jan. 23, 2020).
• Canceling registration of programs that fail to comply with DOE standards and policies.

The DOE establishes uniform minimum standards and policies governing registered apprenticeship programs and agreements. The standards and policies must govern the terms and conditions of the apprentice’s employment and training, including the quality training of the apprentice for, but not limited to, such matters as ratios of apprentices to journeymen, safety, related instruction, and on-the-job training. The DOE is also required to publish an annual report on apprenticeship and preapprenticeship programs, which must include:

- A list of registered apprenticeship and preapprenticeship programs.
- A summary of each local educational agency’s expenditure of funds for apprenticeship and preapprenticeship programs, per trade or occupation.
- The number of apprentices and preapprentices per trade and occupation.
- The percentage of apprentices and preapprentices who complete their respective programs in the appropriate timeframe.
- Information and resources related to applications for new apprenticeship programs and technical assistance and requirements for potential applicants.
- Documentation of activities conducted by the DOE to promote apprenticeship and preapprenticeship programs through public engagement, community-based partnerships, and other initiatives.

State Apprenticeship Advisory Council

The State Apprenticeship Advisory Council (council) advises the DOE on matters related to apprenticeship. The council may not establish policy, adopt rules, or consider whether particular apprenticeship programs should be approved by DOE. The Commissioner of Education (commissioner) or the commissioner’s designee must serve ex officio as chair of the council, but may not vote. The state director of the United States Department of Labor (USDOL) also serves ex officio as a nonvoting member of the council. The council is comprised of 10 voting members appointed by the Governor. The council must meet at the call of the chair or at the request of a majority of its membership, but at least twice a year.

Florida Pathways to Career Opportunities Grant Program

In 2019, the Governor issued an executive order directing the DOE to seek funding to seed high quality workforce apprenticeships and other industry specific learning opportunities for students.

The Florida Pathways to Career Opportunities Grant Program (grant program) was established in 2019 in the DOE to provide grants on a competitive basis to high schools, career centers, charter technical career centers, FCS institutions, and other entities authorized to sponsor an
apprenticeship or preapprenticeship program to establish new apprenticeship or preapprenticeship programs and expand existing apprenticeship or preapprenticeship programs. Grant funds may be used for instructional equipment, supplies, personnel, student services, and other expenses associated with the creation or expansion of an apprenticeship program. Grant funds may not be used for recurring instructional costs or for indirect costs.\textsuperscript{37}

The 2019 Legislature appropriated $10 million for the grant program.\textsuperscript{38} As of January 17, 2020, $7,222,392 has been awarded for 36 projects, including 12 new apprenticeship programs, 14 expansions of apprentices programs, 7 new preapprenticeship programs, and 3 expansions of preapprenticeship programs.\textsuperscript{39}

**Effect of Proposed Changes**

The bill make a number of changes that clarify apprenticeship and praapprenticeship program requirements and broaden the scope of such programs to occupations, not just trades. The bill also clarifies that standards are uniform minimum standards, which aligns with current practice.\textsuperscript{40} Finally, the bill removes outdated language related to job trainees, on-the-job training, and limitations to local sponsors, rather than statewide, regional, or national sponsors.

**Apprenticeships and Preapprenticeships in Florida**

The bill modifies s. 446.011, F.S., to broaden the scope of apprenticeship programs to remove the requirement that such programs be in occupations throughout industry that require physical manipulation skills. The change broadens the scope of programs to those occupations, such as information technology or healthcare, that do not rely on physical manipulation skills and encourages cooperation between secondary and postsecondary institutions and business and industry registered apprenticeship program instruction. The bill also encourages coordination between school districts, Florida College System institutions, and state universities in the development of apprenticeship programs that lead to college credit or a college degree. Related to this change, the bill modifies s. 446.092, F.S., to remove from the description of an apprenticeship occupation that it is in a skilled trade.

The bill connects on-the-job training to academic related experiences, but removes the qualifier that these are classroom experiences. Related technical instruction is often conducted through online or correspondence courses. The bill also clarifies that the instruction includes both the related technical instruction and supplemental instruction, consistent with current practice.

**Apprenticeship Program Sponsors**

Consistent with the emphasis in the bill to broaden the scope of apprenticeship programs to more types of occupations, rather than be limited to the trades, the bill modifies s. 446.071, F.S. to expand the number of entities that may serve as a sponsor. The bill specifies that a sponsor may also be an educational institution, a local workforce board, a community or faith-based

\textsuperscript{37} Section 1011.802, F.S.
\textsuperscript{38} Specific Appropriation 125A, ch. 2019-115, L.O.F.
\textsuperscript{39} Email, Florida Department of Education (Jan. 23, 2020).
\textsuperscript{40} Apprenticeship Standards” means the minimum requirements established uniformly for each craft under which an apprenticeship program is administered and includes standards of admission, training goals, training objectives, curriculum outlines, and objective standards to measure successful completion of the apprenticeship program. Rule 6A-23.002(5), F.A.C.
organization, an association, or any entity preapproved by the DOE. In addition, the bill provides flexibility to the DOE in the determination of need in apprenticeship program approvals.

Apprenticeship Programs
The bill modifies s. 446.021, F.S., to change a number of definitions to clarify intent and align with USDOL definitions for registered apprenticeship and preapprenticeship programs. The bill also modifies s. 446.051, F.S., to clarify that:
• The administration and supervision of DOE-approved programs is the responsibility of the registered apprenticeship or preapprenticeship sponsor, rather than the career education center.
• District school boards, and FCS institution and State University System (SUS) boards of trustees (BOTs) are encouraged to cooperate with registered apprenticeship or preapprenticeship sponsors for the provision of programs.

The bill also removes the definition in s. 446.021, F.S., and repeals s. 446.091, F.S., relating to on-the-job training. The term is outdated in relation to responsibilities of the DOE over apprenticeship and preapprenticeship programs.

Preapprenticeship Programs
The bill modifies s. 446.052, F.S., to encourage, but not require, district school boards, FCS institution and SUS institution BOTs to cooperate and develop preapprenticeship programs. The bill requires SUS institution BOTs to work with the DOE, district school boards, and FCS institution BOTs to ensure that individuals completing registered preapprenticeship programs may be able to receive credit toward a registered apprenticeship program and college credit toward a degree. The bill also provides flexibility and preapprenticeship program sponsor discretion in the development of programs by clarifying that such programs include career education, but need not include general education courses required for a high school diploma.

Department of Education Responsibilities
The bill modifies s. 446.032, F.S., to make a number of technical changes relating to the general duties of the DOE for registered apprenticeships. The bill also modifies the timeframe for completers in the local education agency registered apprenticeship expenditure report submitted to the DOE. The intent of the metric is to track completers, but because program length varies widely among sponsors, it is not appropriate to track the time to completion. In addition, the report must include information about potential registered apprenticeship programs, rather than applications.

The bill also modifies s. 446.041, F.S., to recognize the requirement of the sponsor, not the DOE to develop and supervise programs. The bill also clarifies that the DOE does not administer the uniform standards, but has responsibility to review and evaluate the program standards.41 The bill also requires the DOE to register apprenticeship and preapprenticeship programs, regardless

41 Section 446.071, F.S., authorizes the DOE to grant a variance from the standards upon a showing of good cause for the variance by program sponsors in nonconstruction trades. This authorization recognizes the unique and varying training requirements in nontraditional apprenticeable occupations and to authorize the DOE to adapt the standards to the needs of the programs.
of affiliation, which includes a wide range of sponsors, both union and non-union. Finally, the bill removes the requirement to reach out to veterans about career education. Such outreach is beyond the scope of duties related to registered apprenticeship programs.

State Apprenticeship Advisory Council
The bill modifies s. 446.045, F.S. to change the scope, membership, and meetings of the State Apprenticeship Advisory Council (council). Specifically, the bill:

- Specifies that the council’s purpose is to advise the DOE on matters related to both registered apprenticeships and registered preapprenticeships.
- Changes membership from the state director of the Office of Apprenticeship (office) in the USDOL to a representative of the office. This is consistent with the current organizational structure of USDOL representation; there are currently regional, not state directors.
- Authorizes the council chair’s designee to call a meeting, and authorizes a voting majority of the council membership to request a meeting.

Florida Pathways to Career Opportunities Grant Program
The bill modifies s. 1011.802, F.S., to change the selection criteria and use of funds for the Florida Pathways to Career Opportunities Grant Program (grant program). The bill:

- Clarifies that the authorization to use grant funds for personnel is for instructional personnel.
- Authorizes the DOE to use up to $200,000 of the total allocation to administer the grant program.

Such changes provides the DOE with more support to administer the program, and clarifies the intent of the use of grant program funds.

Work-based Learning

Present Situation
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.”42 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.43

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42 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).
43 Email, Florida Department of Education (Jan. 23, 2020).
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:  

- 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 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.

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.

In 2018-2019, there were 19,992 students enrolled in secondary on-the-job training, preapprenticeship, work experience, and other WBL courses.

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 prescribes 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.

Generally, 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. For such injuries, an employer is responsible for providing medical treatment, and compensation in the event of employee disability or death. Specific employer coverage requirements are based on the type of industry, number of employees, and entity organization.

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45 Email, Florida Department of Education (Jan. 23, 2020).
47 Email, Florida Department of Education (Jan. 23, 2020).
48 Section 440.09(1), F.S.
49 Section 440.13, F.S.
50 Section 440.15, F.S.
51 Section 440.16, F.S.
State Risk Management Program

The Division of Risk Management (DRM)\textsuperscript{53} 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 and workforce members that are exposed to the risk of financial losses through damage, injuries, and alleged negligent or improper acts.\textsuperscript{54}

Effect of Proposed Changes

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. The bill encourages school districts to place students in paid work experiences for purposes of educational training and WBL.

The bill provides that:

- Individuals 18 years of age or younger who are enrolled in a Florida-registered preapprenticeship program that requires work-based learning or other specified preapprenticeship program specified in law\textsuperscript{55} 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.
- 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 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.

The designation of preapprenticeship and WBL program students as employees of the state for the purposes of workers’ compensation medical claims may increase the financial liability of the state, but may encourage more employers, who otherwise would not participate due to concerns about assuming liability for a minor, to partner with school districts to sponsor such programs. The provisions in the bill may allow more students under 18 to participate in work-based learning opportunities.

\textsuperscript{53} Section 20.121(2)(h), F.S.
\textsuperscript{55} A program administered under ss. 446.011 to 446.092, F.S.
Elementary and Secondary Career Education

Present Situation

Middle Grades Promotion

Florida law specifies the general requirements for middle grades promotion. In 2006, the Legislature revised middle grades promotion requirements to include a course in career exploration and planning. The course must be completed in grades 6, 7, or 8 and can be delivered as a stand-alone course or integrated into another course and be taught by any member of the instructional staff. The course must:

- Be internet-based and include research-based assessments to assist students in determining educational and career options and goals.
- Result in a completed personalized academic and career plan, to inform students of requirements related to standardized assessments, high school graduation and diploma designations, college entrance tests and admissions, and the Florida Bright Futures Scholarship Program, as well as opportunities to earn college credit in high school through academic and career-based options.
- Emphasize the importance of entrepreneurship and employability skills.
- Include information from the Department of Economic Opportunity’s economic security report identified in law.

High School Graduation Requirements – Career-themed Courses

One of the options for a student to earn a standard high school diploma is to successfully complete 24 credits specified in law. The required credits may be earned through equivalent, applied, or integrated courses or career education courses, including approved work-related internship.

The DOE is required to develop, for approval by the State Board of Education (SBE), additional career education courses or a series of courses that meet requirements for a career and

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56 Section 1003.4156(1), F.S.
57 Section 21, ch. 2006-74, L.O.F.
58 Section 1003.4156(1)(e), F.S.
59 Section 445.07, F.S.
60 Section 1003.4282(1)(a), F.S.
61 Career education courses at the elementary, middle, and high school levels are exploratory courses designed to give students initial exposure to a broad range of occupations to assist them in preparing their academic and occupational plans, and practical arts courses that provide generic skills that may apply to many occupations but are not designed to prepare students for entry into a specific occupation. At the secondary level, such courses are for job-preparatory instruction in the competencies that prepare students for effective entry into an occupation, including diversified cooperative education, work experience, and job-entry programs that coordinate directed study and on-the-job training. Section 1003.01(4), F.S.
62 Section 1003.4282(1)(b), F.S.
professional academy and career-themed course, and allow students to earn credit in both the career education course and a course required for high school graduation. In addition:

- Each school district should take the initiative to work with local workforce boards, local business and industry leaders, and postsecondary institutions to establish partnerships for the purpose of creating career education courses or a series of courses to meet specified career education course requirements that students can take to earn high school course credits.
- Regional consortium service organizations must work with school districts, local workforce boards, postsecondary institutions, and local business and industry leaders to create career education courses that meet specified career education course requirements and that students can take to earn high school course credits.

Career-themed courses are identified and reported to the DOE by school districts. Currently, there are identified 1,111 career-themed course identified by 64 school districts.

**Computer Science Instruction**

Florida law defines computer science as the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society, and includes computer coding and computer programming.

Public schools are required to provide students in grades K-12 opportunities for learning computer science including, but not limited to, computer coding and computer programming. Such opportunities may include 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.

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63 A “career and professional academy” is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity. Career and professional academies must be offered by public schools and school districts. 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. School districts must offer at least two career-themed courses, and each secondary school is encouraged to offer at least one career-themed course. Section 1003.493(1), F.S. The requirements for a career and professional academy and career-themed course are listed in section 1003.493(4), F.S. All career courses offered in a career and professional academy and each career-themed course offered by a secondary school must lead to industry certification or college credit. Section 1003.493(5), F.S.

64 Section 1003.4282(8), F.S.
65 Section 1003.4282(8)(b)-(c), F.S.
66 School districts with 20,000 or fewer unweighted full-time equivalent students, developmental research (laboratory) schools, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization to provide, at a minimum, three of the following services: exceptional student education; teacher education centers; environmental education; federal grant procurement and coordination; data processing; health insurance; risk management insurance; staff development; purchasing; or planning and accountability. Section 1001.451, F.S.
67 Email, Florida Department of Education (Jan. 23, 2020).
68 Section 1007.2616(1), F.S.
69 Section 1007.2616(2)(a), F.S.
70 Id.
Computer science courses must be identified in the Course Code Directory and published on the DOE website.\textsuperscript{71} There are currently 66 secondary computer science courses identified on the DOE website.\textsuperscript{72}

A school district or a consortium of school districts may apply to the DOE for funding for:\textsuperscript{73}
\begin{itemize}
  \item Training for classroom teachers to earn an educator certificate in computer science.
  \item Training that leads to an industry certification associated with a course identified in the Course Code Directory.
  \item Professional development for classroom teachers to provide instruction in computer science courses and content.
\end{itemize}

The DOE must establish a deadline for submitting applications. The DOE must award funding to school districts in a manner that allows for an equitable distribution of funding statewide based on student population.\textsuperscript{74}

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.\textsuperscript{75}

\textit{Effect of Proposed Changes}

\textbf{Middle Grades Promotion}

The bill modifies s. 1003.4156, F.S., to encourage students to complete one course in career and education planning in middle school, but makes the course optional. In addition, the bill makes the course content optional. Therefore, school districts may choose whether to offer the course and will have discretion over course topics. The bill also authorizes that the Florida Virtual School may offer the course in career and education planning.

\textbf{High School Graduation Requirements – Career-themed Courses}

The bill modifies s. 1003.4282, F.S., to authorize school districts or regional consortia to work with national providers to submit recommended career-themed courses to the DOE for SBE approval. The bill requires that recommended courses must meet the requirements for career and professional academies and career-themed courses that students can take and earn required high school course credits.

\textbf{Computer Science Courses}

The bill modifies s. 1007.2616, F.S., to specify that opportunities for learning computer science in elementary school must include computational thinking and foundational computer science skills.

\textsuperscript{71} Section 1007.2616(2)(b), F.S.


\textsuperscript{73} Section 1007.2616(4), F.S. The 2019 Legislature appropriated $10,000,000 for computer science certification and teacher bonuses. Specific Appropriation 108, ch. 2019-115, L.O.F. As of Jan. 17, 2020, approximately $7.1 million has been requested by school districts. Email, Florida Department of Education (Jan. 23, 2020).

\textsuperscript{74} Section 1007.2616(4)(b), F.S.

\textsuperscript{75} Section 1007.2616(4), F.S.
The bill also modifies the use of funds that may be used by school districts or a consortium of school districts to assist teachers to earn educator certification in computer science, industry certifications in computer science, and for teacher professional development. The bill also authorizes that funds may be used for the purchase of technology, including hardware and software, directly related to computer science instruction and specifies that the DOE must award funding based on criteria developed by the DOE, rather than through a required competitive process.

**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.\(^{76}\)

**Present Situation**

In 2007, the Legislature passed the Career and Professional Education (CAPE) Act,\(^{77}\) 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.\(^{78}\)

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.\(^{79}\) Industry certifications that generate bonus funds for school districts are included on the CAPE Industry Certification Funding List,\(^{80}\) which also contains the industry certifications on the career pathways list approved for the Florida Gold Seal Vocational Scholars award.\(^{81}\)

The 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.\(^{82}\)

The CAPE Act provides multiple options for students to attain digital skills through digital tools and industry certifications.\(^{83}\) Digital tools are certificates reflecting core computer skills. The

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\(^{76}\) Section 1004.92(1), F.S.

\(^{77}\) Chapter 2007-216, L.O.F.

\(^{78}\) Section 1003.491, F.S.

\(^{79}\) Rule 6A-6.0573(2)(e), F.A.C.

\(^{80}\) 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.

\(^{81}\) 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.

\(^{82}\) Section 1008.44(1), F.S.

\(^{83}\) Section 1003.4203, F.S.
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.\textsuperscript{84}

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{85}

**Funding for Workforce Education Programs**

Workforce education may be conducted by an FCS institution or a school district, and includes:\textsuperscript{86}

- 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{87}

Performance funding for industry certifications for school district workforce education programs\textsuperscript{88} and FCS institutions\textsuperscript{89} is contingent upon specific appropriation in the GAA and is determined by criteria specified in law,\textsuperscript{90} 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 certifications. In addition to full-time equivalent (FTE) bonus funding for CAPE Digital


\textsuperscript{85} Section 1008.44(4)(b), F.S.

\textsuperscript{86} Section 1011.80(1) and (2), F.S.

\textsuperscript{87} Section 1011.80(7)(a), F.S.

\textsuperscript{88} Section 1011.80(7), F.S.

\textsuperscript{89} Section 1011.81(2), F.S.

\textsuperscript{90} See ss. 1011.80(7) and 1011.81(2), F.S.
Tool Certificates, CAPE Innovation courses, and CAPE Acceleration certifications, the district may receive:

- 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 2018-2019, the estimated value of the FTE bonus for career-themed courses and industry certifications in all school districts was approximately $77.4 million.

**Effect of Proposed Changes**

The bill modifies s. 1008.44, F.S., to require that the DOE and commissioner recommend industry certifications to 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 provide greater authority to the commissioner to limit CAPE industry certifications and digital tools to certain grades. The bill specifies that such limits are for the purposes of calculating additional FTE membership for the industry certification bonus funding, not based on 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

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91 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.

92 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.

93 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 of the 2019 General Appropriations Act.

94 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.

95 Section 1011.62(1)(o)2., F.S.

96 Email, Florida Department of Education (Jan. 23, 2020).
to earn a minimum of five postsecondary credit hours through approved CAPE industry certifications approved which articulate for college credit.\textsuperscript{97}

**Funding for Workforce Education Programs**

The bill maintains the $1,000 provision to school districts and FCS institutions for industry certifications earned by students. But specifies that, for each professional-level, Federal Aviation Administration (FAA) industry certification earned by a workforce education or FCS institution 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.

The bill provides additional incentives for school districts to encourage students to pursue an FAA industry certification. Such certifications are rigorous and, according to statewide articulation agreements, result in 24 to 36 college credits toward a degree.

**Bonus Funds for CAPE Industry Certifications**

The bill modifies the FTE bonus funding in s. 1011.62, F.S., for CAPE industry certifications with a statewide articulation agreement for college credit. The bill awards a higher bonus to rigorous CAPE industry certifications that articulate for more 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.
- 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.\textsuperscript{98} There is one articulation agreement that generates 15 college credits;\textsuperscript{99} it is not clear the bonus funding level for that agreement.

\textsuperscript{97} Section 1009.536(2), F.S.


\textsuperscript{99} The agreement is: MSSC Certified Production Technician (CPT) (15 credits). Id.
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 5 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.

Mathematics Pathways

Present Situation

Statewide Articulation Agreement

The SBE and the Board of Governors of the SUS (BOG) are required to enter into a statewide articulation agreement. The agreement must preserve Florida’s “2+2” system of articulation and facilitate the seamless articulation of student credit across and among Florida’s educational entities. The agreement requires state university BOT, FCS BOT, and district school boards to adopt policies and procedures to provide articulated programs so that students can proceed toward their educational objectives as rapidly as their circumstances permit.

Academic Pathways

The SBE, in consultation with the BOG, is required to approve a series of meta-majors and the academic pathways that identify the gateway courses associated with each meta-major. The purpose of meta-major academic pathways is to advise FCS system associate degree seeking students of the gateway courses that are aligned with their intended academic and career goals. The meta-major academic pathways are established in the following areas:

- Arts, humanities, communication and design.
- Business.
- Education.
- Health sciences.
- Industry/manufacturing and construction.
- Public Safety.
- Science, technology, engineering, and mathematics.
- Social and behavioral sciences and human services.

In 2018, the Florida Student Success Center established three workgroups to identify current challenges in mathematics pathways and develop policy and practice recommendations to

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100 Section 1007.23(1), F.S.
101 Rule 6A-10.024(1), F.A.C.
102 Section 1008.30(4), F.S.
103 Rule 6A-14.065, F.A.C.
104 The Florida Student Success Center is part of the national Student Success Center Network and supports Florida’s 28 state and community colleges’ efforts to develop student-centered pathways and increase student completion rates. The Florida
improve student achievement across Florida's education systems. The charge to the workgroups was to explore complex issues surrounding mathematics pathways to prepare high school students for transition into FCS institutions, and FCS institution students for transition into four-year universities. More than 90 mathematics faculty, administrators and key stakeholders from Florida's K-12 system, the FCS, and the SUS served as members of the workgroups in 2018-19. Among the 12 recommendations, the workgroups recommended creation of common mathematics pathways by aligning mathematics courses to programs, meta-majors, and careers in Florida.\footnote{The Florida College System, \textit{Florida Student Success Center}, \url{https://www.floridacollegesystem.com/student_success_center.aspx} (last visited Ja. 23, 2020).}

\textit{Effect of Proposed Changes}

The bill modifies s. 1007.23, F.S., to require the statewide articulation agreement to specify three mathematics pathways, which are aligned to programs, meta-majors, and careers, on which degree-seeking students must be placed. The bill specifies the purpose of the pathways is to facilitate seamless transfer, reduce excess credit hours, and ensure that students are taking the relevant courses needed for their future careers. To accomplish the identification of the mathematics pathways, the bill requires, by September 31, 2020, the Articulation Coordinating Committee (ACC)\footnote{The Articulation Coordinating Committee (ACC) is established by the Commissioner of Education, in consultation with the Chancellor of the State University System, to make recommendations related to statewide articulation policies and issues. The ACC consists 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 Office of K-20 Articulation in the DOE provides administrative support for the ACC. Section 1007.01(3), F.S.} to convene a representative workgroup composed of academic affairs administrators and faculty from state universities and FCS institutions to identify the three pathways. The workgroup must report its recommendations to the ACC, BOG, and the SBE by March 31, 2021. The ACC must approve the mathematics pathways by May 31, 2021.

\textbf{IV. Constitutional Issues:}

\begin{itemize}
  \item[A.] Municipality/County Mandates Restrictions:
    \begin{itemize}
      \item None.
    \end{itemize}
  \item[B.] Public Records/Open Meetings Issues:
    \begin{itemize}
      \item None.
    \end{itemize}
  \item[C.] Trust Funds Restrictions:
    \begin{itemize}
      \item None.
    \end{itemize}
  \item[D.] State Tax or Fee Increases:
    \begin{itemize}
      \item None.
    \end{itemize}
\end{itemize}
E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

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.\(^{107}\)

The changes 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 receives, depending on the industry certifications completed by students in the district.

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.\(^{108}\)

According to the Department of Education, approximately 885 students were enrolled in preapprenticeship programs, and approximately 30,000 students were enrolled in a course which may contain a work-based learning component or an activity that is unpaid. The fiscal analysis assumes all such participants could potentially be involved in programs with a work-based learning component.

Using a 2 percent annual claim rate seen in similar programs, and assuming most of the estimated 30,885 participants were working on a part-time basis, a total of 15,443 FTE participants could be added to the count for workers’ compensation coverage, with an additional 309 new claims per year, comprised of 25 lost-time claims and 284 medical-only claims. Such an increase in the number of claims would require a minimum of one (1) additional FTE in order to handle the increased workload. The estimated recurring cost of this FTE is $59,700.

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 309 new claims each year, the DRM estimates annual medical claim costs, legal costs and expenses of approximately $981,498 would be paid.

\(^{107}\) Florida Department of Financial Services, 2020 Legislative Bill Analysis (Jan. 24, 2020).

\(^{108}\) Id.
Depending on the number and severity of future claims, the increase in workers’ compensation loss payments and operational costs to the Risk Management Trust Fund could result in a long-term need for additional premium to be charged to the state agencies to cover these losses.

VI. Technical Deficiencies:

Section 1007.2616(4), F.S., authorizes a school district or consortium of districts to apply for funds to assist teachers in earning an educator certificate in computer science, a computer science industry certification, or for professional development. The bill expands the use of funds to authorize the purchase of technology, including hardware and software, directly related to computer science instruction. However, the bill does not modify the requirement in that subsection that requires such funding to be used only to provide training for classroom teachers, or to pay fees for examinations that lead to a credential, or to provide professional development.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 446.011, 446.021, 446.032, 446.041, 446.045, 446.051, 446.052, 446.071, 446.081, 446.092, 1003.4156, 1003.4282, 1007.23, 1007.2616, 1008.44, 1011.62, and 1011.802.

This bill creates section 446.541 of the Florida Statutes.

This bill repeals section 446.091 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.)

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.
Authorize school districts and regional consortia to work with national providers to submit career-themed courses for approval.

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:
  - Provides a 0.2 FTE bonus for CAPE industry certifications in aviation or aerospace, subject to repeal on July 1, 2023.
  - Clarifies that articulation agreements used to determine CAPE industry certification bonus funds are statewide articulation agreements.
  - 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.
The Committee 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.

(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 state that require physical manipulative skills. The Legislature further intends to broaden job training opportunities by increasing 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 trades and that the department have responsibility for assisting
eligible program sponsors pursuant to s. 446.071 district school
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,
local 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
s. 446.021, F.S., for present text.)

446.021 Definitions of terms used in ss. 446.011-446.092.—

As used in ss. 446.011-446.092, the term:

(1) “Apprentice” means a person at least 16 years of age
who has entered into an apprenticeship agreement with a
registered apprenticeship program sponsor, is engaged in
learning an apprenticeable occupation through actual work
experience under the supervision of journeyworkers, and is enrolled in the apprenticeship program in which he or she receives an organized and systematic form of instruction designed to provide theoretical and technical knowledge related to the occupation.

(2) “Apprenticeship program” means a program that is registered with the department on the basis of submission to the department of a plan that contains the terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including requirements for a written apprenticeship agreement.

(3) “Cancellation” means the termination or deregistration of an apprenticeship program at the request of the program sponsor, or the termination of an apprenticeship agreement at the request of the apprentice.

(4) “Department” means the Department of Education.

(5) “Journeyworker” means a person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number of years required by established industry practices for the particular trade or occupation.

(6) “On-the-job training” means a structured system of work processes, under the supervision of a journeyworker, which provides the experience and knowledge necessary to meet the training objective of learning a specific skill, trade, or occupation.

(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 4. Section 446.032, Florida Statutes, is amended to

read:

446.032 General duties of the department for apprenticeship

training.—The department shall:

(1) Establish uniform minimum standards and policies
governing registered apprenticeship apprentice programs and

agreements. The standards and policies shall govern the terms
and conditions of the apprentice’s employment and training, including the quality training of the apprentice for, but not limited to, such matters as ratios of apprentices to journeyworkers, safety, related technical instruction, and on-the-job training; but these standards and policies may not include rules, standards, or guidelines that require the use of apprentices and job trainees on state, county, or municipal contracts. The department may adopt rules necessary to administer the standards and policies.

(2) By September 1 of each year, publish an annual report on registered apprenticeship and registered preapprenticeship programs. The report must be published on the department’s website and, at a minimum, include all of the following:

(a) A list of registered apprenticeship and registered preapprenticeship programs, sorted by local educational agency, as defined in s. 1004.02(18), and apprenticeship sponsor, under s. 446.071.

(b) A detailed summary of each local educational agency’s expenditure of funds for registered apprenticeship and registered preapprenticeship programs, including:

1. The total amount of funds received for registered apprenticeship and registered preapprenticeship programs;

2. The total amount of funds allocated to each trade or apprenticeable occupation;

3. The total amount of funds expended for administrative costs per apprenticeable trade or occupation; and

4. The total amount of funds expended for instructional costs per apprenticeable trade and occupation.

(c) The number of apprentices and preapprentices per
apprenticeable trade and occupation.

(d) The percentage of registered apprentices and preapprentices who complete their respective programs in the appropriate timeframe.

(e) Information and resources related to applications for new registered apprenticeship programs and technical assistance and requirements for potential registered apprenticeship programs applicants.

(f) Documentation of activities conducted by the department to promote registered apprenticeship and registered preapprenticeship programs through public engagement, community-based partnerships, and other initiatives.

(3) Provide assistance to district school boards, Florida College System institution boards of trustees, eligible program sponsors pursuant to s. 446.071, 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.

Section 5. Section 446.041, Florida Statutes, is amended to read:

446.041 Apprenticeship program, duties of the department.—

The department shall:

(1) Administer ss. 446.011-446.092.

(2) Review and evaluate the uniform minimum standards established by the department for registered apprenticeship and registered preapprenticeship programs.
(3) 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.

(4) Investigate complaints concerning the failure of any registered program to meet the uniform minimum standards established by the department.

(5) 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.

(6) Encourage potential sponsors to develop and encourage apprenticeship or preapprenticeship programs.

(7) Lead and coordinate outreach efforts to educate veterans about apprenticeship programs and career opportunities.

(8) Cooperate with and assist registered local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

(9) Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered preapprenticeship programs.

(10) Monitor registered apprenticeship programs to ensure that they are being operated in compliance with all applicable uniform minimum standards.

(11) Supervise all apprenticeship programs that are registered with the department.

(12) Ensure that minority and gender diversity are
considered in apprenticeship and preapprenticeship programs administering this program.

   (12) (13) Adopt rules required to administer ss. 446.011-446.092.

   Section 6. Section 446.045, Florida Statutes, is amended to read:

        446.045 State Apprenticeship Advisory Council.—

        (1) As used in this section, the term:
        (a) “Joint organization” means an apprenticeship sponsor
            who participates in a collective bargaining agreement.
        (b) “Nonjoint organization” means an apprenticeship sponsor
            who does not participate in a collective bargaining agreement.

        (2)(a) There is created a State Apprenticeship Advisory Council to be composed of 10 voting members appointed by the Governor and two ex officio nonvoting members. The purpose of the advisory council is to advise the department on matters relating to registered apprenticeship and registered preapprenticeship. The advisory council may not establish policy, adopt rules, or consider whether particular registered apprenticeship or registered preapprenticeship programs should be approved by the department.

        (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 shall constitute 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 registered program sponsors are encouraged to shall 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 towards 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 Apprenticehip sponsors.—
(1) One or more local apprenticeship sponsors must shall 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 department. 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) A local apprenticeship sponsor may be a committee, a group of employers, an employer, or a group of employees, an
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 may invalidate:
   (a) any apprenticeship provision in any collective agreement between employers and employees setting up higher apprenticeship standards.
   (b) Any special provision for veterans, minority persons, or women in the standards, apprenticeship qualifications, or operation of the program that is not otherwise prohibited by law, executive order, or authorized regulation.

(2) No person may not shall 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 a skilled trade which possesses 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, 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)(e) 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 must 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 must 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 institution 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.—

(d) School districts or regional consortia may work with national providers to submit recommended career-themed courses to the department for state board approval. Recommended courses must meet the requirements set forth in s. 1003.493(2), (4), and (5) that students can take and earn required high school course credits.

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:

1007.23 Statewide articulation agreement.—
(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 may 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, 2018. 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, in a format prescribed by the department, for
funding to deliver or facilitate training for classroom teachers
to earn an educator certificate in computer science pursuant to
s. 1012.56, or training that leads to an industry certification
associated with a course identified in the Course Code Directory
pursuant to paragraph (2)(b), or for professional development
for classroom teachers to provide instruction in computer
science courses and content for grades K-12, or 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 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 19. 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.
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 sub-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 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)

(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 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 a registered apprenticeship or registered preapprenticeship program, as defined in s. 446.021, on a competitive basis to establish new apprenticeship or preapprenticeship programs and expand existing apprenticeship or preapprenticeship programs. The Department of Education shall administer the grant program.

(2) Applications must contain projected enrollment and projected costs for the new or expanded apprenticeship program.
(3) The department shall give priority to apprenticeship programs with demonstrated regional demand. Grant funds may be used for instructional equipment, supplies, instructional personnel, student services, and other expenses associated with the creation or expansion of an apprenticeship program. Grant funds may not be used for recurring instructional costs or for indirect costs. Grant recipients must submit quarterly reports in a format prescribed by the department.

(4) Up to $200,000 of the total amount allocated may be used by the department to administer the grant program.

(5) The State Board of Education may adopt rules to administer this section.

Section 22. 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 23. Section 1009.25, Florida Statutes, is reenacted to read:

1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System institution, or state university:

(a) A student enrolled in a dual enrollment or early admission program pursuant to s. 1007.271.

(b) A student enrolled in an approved apprenticeship program, as defined in s. 446.021.

(c) A student who is or was at the time he or she reached 18 years of age in the custody of the Department of Children and Families or who, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court. Such 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.

(d) A student who is or was at the time he or she reached 18 years of age in the custody of a relative or nonrelative under s. 39.5085 or s. 39.6225 or who was adopted from the Department of Children and Families after May 5, 1997. Such 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.

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 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 to 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.
By 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 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.; providing for the general duties of the Department of Education with regard to apprenticeship and preapprenticeship programs; amending s. 446.041, F.S.; requiring the department to review and evaluate uniform minimum standards for apprenticeship programs; amending s. 446.045, F.S.; requiring that a representative of the Office of Apprenticeship of the United States Department of Labor serve ex officio as a nonvoting member of the State Apprenticeship Advisory Council; requiring the council to meet at the call of the chair or the chair’s designee; amending s. 446.051, F.S.; requiring the apprenticeship or preapprenticeship program sponsors to be responsible for the selection and training of instructors, as approved by the department; amending s. 446.052, F.S.; providing that apprenticeship program sponsors are encouraged to cooperate in developing and establishing registered preapprenticeship programs that include career instruction; amending s. 446.071, F.S.; providing that certain organizations may be apprenticeship sponsors; amending s. 446.081, F.S.; revising the applicability of a certain limitation; repealing s. 446.091, F.S., relating to an on-the-job training program; 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; 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 to students; deleting obsolete language; authorizing school districts to apply to the department for...
Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 446.541, Florida Statutes, is amended 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.

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(2) For purposes of this section, the term "work-based learning" 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 enrolled in a preapprenticeship program administered under ss. 446.011-446.092 are deemed to be employees of the state for purposes of workers’ compensation coverage.

(b) Any students in grades 6 through 12 who are enrolled in a course identified in the Course Code Directory which may contain a work-based learning component or an activity that is unpaid are deemed to be employees of the state for purposes of workers’ compensation coverage.

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. By broadening job training opportunities and providing for increased coordination between public school academic programs, career programs, and registered apprenticeship programs, the residents of this state will benefit from the valuable training opportunities developed when on-the-job

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(2) It is the intent of the Legislature that the Department of Education have responsibility for the development of the apprenticeship and preapprenticeship uniform minimum standards for the apprenticeable occupations trade or trades and that the department have responsibility for assisting 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

3....

By expanding presently registered apprenticeship programs,

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:

(1) "Apprentice" means a person at least 16 years of age who has entered into an apprenticeship agreement with a registered apprenticeship program sponsor, is engaged in learning an apprenticeable occupation through actual work experience under the supervision of journeyworkers, and is enrolled in an organized and systematic form of instruction designed to provide theoretical and technical knowledge related to the occupation.

(2) "Apprenticeship program" means a program that is registered with the department on the basis of submission to the department of a plan that contains the terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including requirements for a written apprenticeship agreement.

(3) "Cancellation" means the termination or deregistration of an apprenticeship program at the request of the program sponsor, or the termination of an apprenticeship agreement at the request of the apprentice.

(4) "Department" means the Department of Education.

(5) "Journeyworker" means a person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number.

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of years required by established industry practices for the particular trade or occupation.

(6) “On-the-job training” means a structured system of work processes, under the supervision of a journeyworker, which provides the experience and knowledge necessary to meet the training objective of learning a specific skill, trade, or occupation.

(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 4. Section 446.032, Florida Statutes, is amended to read:

446.032 General duties of the department for apprenticeship training.—The department shall:

(1) Establish uniform minimum standards and policies governing apprenticeship apprentice programs and agreements. The standards and policies shall govern the terms and conditions of the apprentice’s employment and training, including the quality training of the apprentice for, but not limited to, such matters as ratios of apprentices to journeyworkers, safety, related technical instruction, and on-the-job training; but these standards and policies may not include rules, standards, or guidelines that require the use of apprentices and job trainees on state, county, or municipal contracts. The department may adopt rules necessary to administer the standards and policies.

(2) By September 1 of each year, publish an annual report on apprenticeship and preapprenticeship programs. The report must be published on the department’s website and, at a minimum, include all of the following:

(a) A list of registered apprenticeship and preapprenticeship programs, sorted by local educational agency, as defined in s. 1004.02(18), and apprenticeship sponsor, under s. 446.071.

(b) A detailed summary of each local educational agency’s expenditure of funds for apprenticeship and preapprenticeship programs, including:
Section 5. Section 446.041, Florida Statutes, is amended to read:

446.041 Apprenticeship program, duties of the department.—

The department shall:

1. Administer ss. 446.011-446.092.

2. Review and evaluate the uniform minimum standards established by the department for apprenticeship and preapprenticeship programs.

3. 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.

4. Investigate complaints concerning the failure of any registered program to meet the uniform minimum standards established by the department.

5. 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.

6. Encourage potential sponsors to develop and encourage apprenticeship or preapprenticeship programs.

7. Lead and coordinate outreach efforts to educate veterans about apprenticeship programs and career opportunities.

8. Cooperate with and assist approved local apprenticeship sponsors in the development of their apprenticeship uniform minimum standards and their training requirements.

9. Encourage registered apprenticeship programs to grant consideration and credit to individuals completing registered preapprenticeship programs.

(3) Provide assistance to district school boards, Florida College System institution boards of trustees, program sponsors, 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.

Section 5. Section 446.041, Florida Statutes, is amended to read:

1. The total amount of funds received for apprenticeship and preapprenticeship programs;

2. The total amount of funds allocated to each trade or apprenticeable occupation;

3. The total amount of funds expended for administrative costs per apprenticeable trade or occupation; and

4. The total amount of funds expended for instructional costs per apprenticeable trade and occupation.

(c) The number of apprentices and preapprentices per apprenticeable trade and occupation.

(d) The percentage of apprentices and preapprentices who complete their respective programs in the appropriate timeframe.

(e) Information and resources related to applications for new apprenticeship programs and technical assistance and requirements for potential apprenticeship programs applicants.

(f) Documentation of activities conducted by the department to promote apprenticeship and preapprenticeship programs through public engagement, community-based partnerships, and other initiatives.

(3) Provide assistance to district school boards, Florida College System institution boards of trustees, program sponsors, 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.
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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 sponsors, shall be the responsibility of the 
apprenticeship or preapprenticeship program sponsor appropriate 
career education institution.

(2) District school boards and Florida College System 
institution boards of trustees are the appropriate career 
education institution shall be encouraged, but, notwithstanding 
this intent, are not obligated, 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 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 boards of trustees, and 
apprenticeship registered program sponsors are encouraged to 

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Any person aggrieved by any determination or act of the department has the right to an administrative hearing.

A minimum, an apprenticeable occupation must possess 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 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) and subsection (2) of section 1003.4156, Florida Statutes, are amended 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 include:

- 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;
- emphasize the importance of entrepreneurship and employability skills; and
- include information from the Department of Economic Opportunity’s economic security report under s. 445.07.

The required personalized academic and career plan should 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 institution admission requirements; available opportunities to earn college credit in high school, including Advanced Placement courses; the International Baccalaureate Program; the Advanced Placement 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 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.—

(d) School districts or regional consortia may work with national providers to submit recommended career-themed courses to the department for state board approval. Recommended courses must meet the requirements set forth in s. 1003.493(2), (4), and (5) that students can take and earn required high school course credits.

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:

1007.23 Statewide articulation agreement.—

(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...
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Course Code Directory and published on the Department of

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 may 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, 2018. 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, in a format prescribed by the department, for
funding to deliver or facilitate training for classroom teachers
to earn an educator certificate in computer science pursuant to
s. 1012.56, or training that leads to an industry certification
associated with a course identified in the Course Code Directory
pursuant to paragraph (2)(b), or for professional development
for classroom teachers to provide instruction in computer
science courses and content for grades K-12, or 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 to read:

CODING: Words [stricken] are deletions; words [underlined] are additions.

Page 20 of 27
Section 19. 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 and 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.
2. 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 on the CAPE Industry Certification Funding List.
Each district must allocate at least 80 percent of the 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.

2. Each district must allocate at least 80 percent of the 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.

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 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

Section 20. Section 1011.802, Florida Statutes, is amended
to read:

1011.802 Florida Pathways to Career Opportunities Grant
Program.—
(1) Subject to the appropriation of funds 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 a preapprenticeship

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.
program, as defined in s. 446.021, for the creation or expansion of such on a competitive basis to establish new apprenticeship or preapprenticeship programs and expand existing apprenticeship or preapprenticeship programs. The Department of Education shall administer the grant program and establish selection criteria.

(2) Applications must contain projected enrollment and projected costs for the new or expanded apprenticeship program.

(3) The department shall give priority to apprenticeship programs with demonstrated regional demand. Grant recipients may use grant funds may be used for instructional equipment, supplies, personnel, student services, and other expenses associated with the creation or expansion of an apprenticeship program. Grant recipients may not use grant funds may not be used for administrative costs or recurring instructional costs or for indirect costs. Grant recipients must submit quarterly reports in a format prescribed by the department.

(4) Up to $200,000 of the total amount allocated may be used by the department to administer the grant program.

(5) The State Board of Education may adopt rules to administer this section.

Section 21. 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)

1/27/2020

<table>
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<tr>
<th>Topic</th>
<th>SB 1568 - Education</th>
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<tbody>
<tr>
<td>Name</td>
<td>Elizabeth Moya</td>
</tr>
<tr>
<td>Job Title</td>
<td>Director of Legislative Affairs</td>
</tr>
<tr>
<td>Address</td>
<td>325 W. Gaines Street</td>
</tr>
<tr>
<td></td>
<td>Tallahassee, FL 32399</td>
</tr>
<tr>
<td>Speaking:</td>
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<tr>
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<tr>
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<tr>
<td>Lobbyist registered with Legislature:</td>
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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)

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<tbody>
<tr>
<td>Name</td>
<td>Scott Jenkins</td>
</tr>
<tr>
<td>Job Title</td>
<td>Senior Gov't Consultant</td>
</tr>
<tr>
<td>Address</td>
<td>215 S. Monroe St. Ste 500</td>
</tr>
<tr>
<td>Phone</td>
<td>850 661 0829</td>
</tr>
<tr>
<td>Email</td>
<td>sjenkins@car内部fields.com</td>
</tr>
<tr>
<td>City</td>
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</tr>
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- For    - Against    - Information
- In Support    - Against

Representing:
- Florida Home Builders Assoc.
- National Utility Contractors Assoc. of FL

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☑ Yes ☐ No

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# APPEARANCE RECORD

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<tbody>
<tr>
<td>215 S. Monroe St. Ste. 5200 TLH FL 32301</td>
<td><a href="mailto:sjenkins2@allenfields.com">sjenkins2@allenfields.com</a></td>
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<tr>
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<th>Speaking:</th>
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<tbody>
<tr>
<td>Senior Gov't Consultant</td>
<td>FL Home Builders Assoc.</td>
<td>□ For □ Against □ Information</td>
<td>In Support □ Against</td>
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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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<tr>
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<tbody>
<tr>
<td>1747 Orlando Central Pkwy</td>
<td>407 855-7604</td>
<td><a href="mailto:1oggles@floridapta.org">1oggles@floridapta.org</a></td>
</tr>
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<td>Street</td>
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<tr>
<td>Orlando</td>
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*(The Chair will read this information into the record.)*

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<th>Florida PTA</th>
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<tr>
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<tr>
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*This form is part of the public record for this meeting.*

S-001 (10/14/14)
Meeting Date: 1-27-2020

Topic: Education

Name: Natalie King

Job Title: VP/LCO

Address: 235 W Brandon Blvd 64D
Street: Brandon
City: 7T 33511

Phone: 8139048218
Email: natalie@charter-school-readus.com

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

Representing: Charter School Readus

Appearing at request of Chair: [ ] Yes  [X] No
Lobbyist registered with Legislature: [X] 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: 1-27-2020

Bill Number (if applicable): 1568

Topic: Education

Name: Amanda Bowen

Job Title: Executive Director

Address: 200 W. College Ave, Ste 115

Phone: 850-728-1772

Email: abowen@nsstephens.com

State: FL

Zip: 32301

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against

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

Representing: Manufacturers Association of Florida

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

Lobbyist registered with Legislature: [X] 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: 11/21/2012

Bill Number (if applicable): 15768

Amendment Barcode (if applicable): 977444

Meeting Date: 11/21/2012

Bill Number (if applicable): 15768

Topic: Education

Name: Carol Bowen

Job Title: Chief Lobbyist

Address: 3731 Coconut Creek Pkwy Suite 200

Phone: (954) 416-8381

Email: cbowen@cavarro.com

State: Florida

Zip: 33066

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

Representing: Associated Builders and Contractors

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.

S-001 (10/14/14)
I. Summary:

CS/SB 1696 adds requirements to protect students participating in extracurricular activities and athletics. Specifically, the bill requires:

- Each Florida High School Athletic Association (FHSAA) member public school to make its automated external defibrillator (AED) available in a clearly marked and publicized location for each athletic contest, practice, workout, or conditioning session.
- A school employee or volunteer with current training in cardiopulmonary resuscitation and use of an AED, beginning June 1, 2021, to be present at each athletic event, practice, workout, or conditioning session during and outside of the school year.
- All employees or volunteers expected to use an AED to complete the training and be notified annually of the location of each AED on school grounds.
- The FHSAA to make training and resources to monitor heat stress available to each member school.
- Each school’s emergency action plan to include a procedure for onsite cooling using cold-water immersion.
- Athletic coaches and sponsors of outdoor extracurricular activities to complete annual exertional heat illness training, including administration of cooling zones.
- Students involved in interscholastic athletics to pass a medical evaluation prior to participating in relevant activities outside of the school year.

The bill takes effect July 1, 2020.
II. Present Situation:

Exertional Heat Stroke (EHS)

Exertional heat stroke (EHS), the most severe form of heat illness,\(^1\) is associated with sustained high body temperature resulting from dehydration, strenuous exercise, and environmental heat exposure.\(^2\) If not promptly recognized and treated, EHS can progress to multi-organ system failure and death.\(^3\) EHS remains one of the leading causes of sudden death in athletics\(^4\) despite evidence showing a 100 percent survival rate when an athlete is cooled down to an appropriate core body temperature within the first 10 minutes of collapsing.\(^5\) Research shows that the best practice for rapid cooling treatment is cold water immersion, preferably in a cooling zone,\(^6\) in a tub that is filled with water and ice to lower the athlete’s core body temperature.\(^7\) High school athletic associations in states such as Arkansas, Georgia, Hawaii, Idaho, Kentucky, Mississippi, New Jersey, North Carolina, Utah, and Vermont require schools to have cold water immersion tubs for onsite cooling for all practices that take place in warm weather.\(^8\)

Since 1995, 64 football players have died nationally from EHS, 47 of which occurred at the high school level.\(^9\) Ninety percent of recorded EHS deaths have occurred during practice.\(^10\) From 2014-2018, there was an average of 2.2 EHS deaths per year associated with football.\(^11\)

\(^1\) University of Connecticut, Korey Stringer Institute, *Heat Illnesses*, [https://ksi.uconn.edu/emergency-conditions/heat-illnesses](https://ksi.uconn.edu/emergency-conditions/heat-illnesses) (last visited Dec. 4, 2019). Heat illnesses are a spectrum of illnesses that occur due to heat exposure. This heat exposure can come from either environmental heat (air temperature) or intense exercise. Such conditions include heat cramps, heat exhaustion, and heat syncope (orthostatic dizziness).


\(^3\) Id.


\(^5\) OPPAGA Presentation, supra note 2, at 17.

\(^6\) Florida High School Athletic Association, *Administrative Policies of the Florida High School Athletic Association* (April 29, 2019), at 107, available at [https://www.fhsaa.org/sites/default/files/attachments/2010/09/16/node-235/1920_handbook_policies_website_116.pdf](https://www.fhsaa.org/sites/default/files/attachments/2010/09/16/node-235/1920_handbook_policies_website_116.pdf) [hereinafter Administrative Policies of the Florida High School Athletic Association]. A cooling zone is an area identified for rest out of direct sunlight. It should include ice sponges and towels, cold water immersion tubs, tarps that can be filled with ice and wrapped around an athlete, and other cooling alternatives to facilitate the cooling process.

\(^7\) OPPAGA Presentation, supra note 2, at 17; Exertional Heat Stroke within Secondary School Athletics, supra note 4.


\(^10\) Id.

\(^11\) Id.
Florida leads the nation in high school student athlete deaths from EHS, with four since 2011. Over 460 student athletes were treated for exertional heat illness during the 2017-2018 school year.

Environmental Monitoring and Hydration

The National Federation of State High School Associations Sports Medicine Advisory Committee has published a position statement regarding best practices for maintaining hydration and minimizing risk for EHS. These include drinking water regularly throughout all athletic activity and weighing athletes before and after hot weather athletic activities to assess the change in hydration status of each athlete.

Adjusting and modifying athletic activity levels based on environmental conditions is a best practice for preventing EHS in athletes. The FHSAA requires:

- Member schools to follow a preseason acclimatization and recovery model for all sports;
- Individual schools or districts to select and promote a method of environmental monitoring for use outside the acclimatization period; and
- Staff to comply with standard recommendations for practice modifications.

Automated External Defibrillators (AEDs)

Florida law requires each public school member of the FHSAA to have an operational automated external defibrillator (AED) on school grounds. Each school must ensure that all employees or volunteers who are reasonably expected to use the device obtain appropriate training, including completion of a course in cardiopulmonary resuscitation (CPR) or a basic first aid course that includes CPR training, and demonstrated proficiency in the use of an AED. The location of each AED must be registered with a local emergency medical services medical director.

The Florida High School Athletic Association (FHSAA)

The FHSAA is designated by Florida law as the governing nonprofit organization of athletics in Florida public schools. The FHSAA is tasked with adopting bylaws that establish eligibility requirements for all students who participate in high school athletic competition in FHSAA

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13 OPPAGA Presentation, supra note 2, at 23.
15 Id.; *Annual Survey of Football Injury Research*, supra note 9, at 18.
16 Id.; *Annual Survey of Football Injury Research*, supra note 9, at 17; *Exertional Heat Stroke within Secondary School Athletics*, supra note 4.
17 Administrative Policies of the Florida High School Athletic Association, supra note 6, at 105 and 107.
18 Section 1006.165, F.S.
19 Id.
20 Id.
21 Section 1006.20(1), F.S.
member schools. The FHSAA requires all student athletes to satisfactorily pass a medical evaluation each year before participating in interscholastic athletic activity.\(^2\)

The FHSAA does not require its member schools to have devices and equipment available to effectively respond to and prevent EHS in student athletes.\(^4\) Current FHSAA policies also do not require member schools to:\(^5\)

- Regulate summer athletic activity, with the exception of football;\(^6\)
- Establish or adopt hydration guidelines;
- Have cooling zones with cold water immersion tubs or other cooling materials;
- Have an individual trained in CPR and AED present at athletic activities; or
- Ensure an AED is present at all athletic activities, preseason or regular.

III. Effect of Proposed Changes:

CS/SB 1696 adds requirements to protect students participating in extracurricular activities and athletics. Specifically, the bill requires:

- Each Florida High School Athletic Association (FHSAA) member public school to make its automated external defibrillator (AED) available in a clearly marked and publicized location for each athletic contest, practice, workout, or conditioning session.
- A school employee or volunteer with current training in cardiopulmonary resuscitation and use of an AED, beginning June 1, 2021, to be present at each athletic event, practice, workout, or conditioning session during and outside of the school year.
- All employees or volunteers expected to use an AED to complete the training and be notified annually of the location of each AED on school grounds.
- The FHSAA to make training and resources to monitor heat stress available to each member school.
- Each school’s emergency action plan to include a procedure for onsite cooling using cold-water immersion.
- Athletic coaches and sponsors of outdoor extracurricular activities to complete annual exertional heat illness training, including administration of cooling zones.
- Students involved in interscholastic athletics to pass a medical evaluation prior to participating in relevant activities outside of the school year.

The bill requires the FHSAA to put measures in place to protect student athletes year round. These measures include:

- Making training and resources available to each member for the effective monitoring of heat stress.

\(^2\) Section 1006.20(2)(a), F.S.
\(^3\) Section 1006.20(2)(c), F.S.
\(^4\) OPPAGA Presentation, supra note 2, at 12.
\(^5\) Administrative Policies of the Florida High School Athletic Association, supra note 6, at 105 and 107-108.
\(^6\) See FHSAA, Heat Acclimatization and Football Contact Procedures, [https://www.fhsaa.org/sites/default/files/orig Uploads/sports/football/archives/2018-19/heat_acclimatization_and_football_contact_procedures.pdf](https://www.fhsaa.org/sites/default/files/orig Uploads/sports/football/archives/2018-19/heat_acclimatization_and_football_contact_procedures.pdf) (last visited Jan. 21, 2020). Recommendations are also included for individuals participating in cross country or in sports utilizing helmets. *Id.* FHSAA recommendations are not requirements under Florida law.
• Establishing guidelines for monitoring heat stress and identify heat stress levels at which a school must make a cooling zone available for each outdoor athletic contest, practice, workout, or conditioning session.

• Requiring member schools to determine heat stress levels based on measuring ambient temperature, humidity, wind speed, sun angle, and cloud cover at the site of the athletic activity and modify athletic activities accordingly, including suspending or moving activities, based on the heat stress guidelines.

• Establishing hydration guidelines, including appropriate introduction of electrolytes after extended activities or when a student participates in multiple athletic activities in a day.

• Establishing requirements for cooling zones, including, at a minimum, the immediate availability of cold-water immersion tubs or equivalent means to rapidly cool internal body temperature when a student exhibits symptoms of exertional heat stroke, and for the presence at athletic activities of an employee or volunteer trained to implement and administer the cooling zones.

• Requiring each school’s emergency action plan, as stipulated by the FHSAA, to include a procedure for onsite cooling using cold-water immersion or equivalent means before a student is transported to a hospital for exertional heat stroke.

The bill requires all athletic coaches and sponsors of extracurricular activities involving outdoor practices or events to complete annual training in exertional heat illness identification, prevention, and response, including effective administration of cooling zones.

The bill expands FHSAA bylaws to require all students participating in or who are candidates for interscholastic athletic involvement to satisfactorily pass a medical evaluation yearly prior to participating in conditioning or activities that occur outside of the school year.

These safeguards may protect student athletes and prevent heat-related illness or death.

The bill takes effect July 1, 2020.

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 bill has an indeterminate fiscal impact on Florida High School Athletic Association member schools for costs associated with the purchase of automated external defibrillators (AEDs) and cold water immersion tubs, as necessary, and having an individual with current cardiopulmonary resuscitation and AED training at each athletic activity, including those that take place in the non-school year.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.165 and 1006.20.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

CS by Education on January 27, 2020:

The committee substitute alters Florida High School Athletic Association (FHSAA) requirements through:

- Requiring FHSAA member schools to determine heat stress levels based on measuring ambient temperature, humidity, wind speed, sun angle, and cloud cover at the site of the athletic activity, instead of specifying WetBulb Globe Temperature (WBGT) or heat index levels; and
- Removing the requirement that the FHSAA notify member schools in writing within 30 days with a rationale for not adopting the policy recommendation as recommended
by the Sports Medicine Advisory Committee (SMAC) when the FHSAA does not adopt a policy change.

The committee substitute also requires each school’s emergency action plan to align with FHSAA specifications on procedure for onsite cooling using cold-water immersion or equivalent means before a student is transported to a hospital for exertional heat stroke.

B. Amendments:

None.

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

**Senate Amendment (with title amendment)**

Delete lines 60 - 97

and insert:

1. Make training and resources available to each member school for the effective monitoring of heat stress.

2. Establish guidelines for monitoring heat stress and identify heat stress levels at which a school must make a cooling zone available for each outdoor athletic contest, practice, workout, or conditioning session. Heat stress must be determined by measuring the ambient temperature, humidity, wind...
speed, sun angle, and cloud cover at the site of the athletic activity.

3. Require member schools to monitor heat stress and modify athletic activities, including suspending or moving activities, based on the heat stress guidelines.

4. Establish hydration guidelines, including appropriate introduction of electrolytes after extended activities or when a student participates in multiple activities in a day.

5. Establish requirements for cooling zones, including, at a minimum, the immediate availability of cold-water immersion tubs or equivalent means to rapidly cool internal body temperature when a student exhibits symptoms of exertional heatstroke and the presence of an employee or volunteer trained to administer cold-water immersion.

6. Require each school’s emergency action plan, as required by the Florida High School Athletic Association, to include a procedure for onsite cooling using cold-water immersion or equivalent means before a student is transported to a hospital for exertional heatstroke.

The requirements of this paragraph apply year round.

(b) Each athletic coach and sponsor of extracurricular activities involving outdoor practices or events shall annually complete training in exertional heat illness identification, prevention, and response, including the effective administration of cooling zones.

--------------------- T I T L E A M E N D M E N T ---------------------
And the title is amended as follows:
Delete lines 12 - 14
and insert:
relating to student athlete safety; amending s. 1006.20, F.S.; requiring that
By Senator Perry

A bill to be entitled An act relating to student athletes; amending s. 1006.165, F.S.; revising requirements for the availability of automated external defibrillators on school grounds; delaying implementation of a requirement that certain school employees and volunteers complete specified training; requiring that a school employee or volunteer who has received the training be present at certain athletic activities, by a specified date; requiring the Florida High School Athletic Association to establish certain requirements relating to student athlete safety; requiring the association to notify member schools of certain information; amending s. 1006.20, F.S.; requiring that a medical evaluation be performed before a student begins conditioning; applying requirements related to medical evaluations to activities occurring outside the school year; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1006.165, Florida Statutes, is amended to read:

1006.165 Well-being of students participating in extracurricular activities. Automated external defibrillator; training.—

(1)(a) Each public school that is a member of the Florida High School Athletic Association must have an operational automated external defibrillator on the school grounds. The placement of the defibrillator and training in the use of the defibrillator must be available in a clearly marked and publicized location for each athletic contest, practice, workout, or conditioning session, including those conducted outside of the school year. Public and private partnerships are encouraged to cover the cost associated with the purchase and placement of the defibrillator and training in the use of the defibrillator.

(b) Beginning June 1, 2021, a school employee or volunteer with current training in cardiopulmonary resuscitation and use of a defibrillator must be present at each athletic event during and outside of the school year, including practices, workouts, and conditioning sessions. The training received by the employee or volunteer must include each school employee or volunteer who is reasonably expected to use the device obtain appropriate training, including completion of a course in cardiopulmonary resuscitation or a basic first aid course that includes cardiopulmonary resuscitation training, and demonstrated proficiency in the use of an automated external defibrillator. All employees or volunteers who may be reasonably expected to use a defibrillator must complete the training.

(c) The location of each automated external defibrillator must be registered with a local emergency medical services medical director. Each individual required to complete the training under paragraph (b) must be notified annually of the location of each defibrillator on the school grounds.

(2)(a) In order to better protect student athletes participating in athletics during hot weather and to avoid preventable injury or death, the Florida High School Athletic Association must have an operational automated external defibrillator on the school grounds.
(b) All athletic coaches and sponsors of extracurricular activities involving outdoor practices or events shall complete annual training in exertional heat illness identification,
establish requirements for eliciting a student’s medical history and performing the medical evaluation required under this paragraph, which must shall include a physical assessment of the student’s physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form must shall incorporate the recommendations of the American Heart Association for participation cardiovascular screening and shall provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form shall also must contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form must shall provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form must shall advise students to complete a cardiovascular assessment and must shall include information concerning alternative cardiovascular evaluation and diagnostic tests. Results of such medical evaluation must be provided to the school. A student is not eligible to participate, as provided in s. 1006.15(3), in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student’s candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.

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

APPEARANCE RECORD

Meeting Date: 1/27/2020

Topic: Student Athletic Safety

Name: Robert Seiful

Job Title: Ex Director

Address: 59 Willow Dr
ST. Augustine, FL 32080

Phone: 904-576-2969
Email: Robert.Seiful@broadway.com

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

Representing: JSMF & FASMed

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>Student Athletes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Khaak-Lieu (&quot;Con Lynn&quot;) Banko</td>
</tr>
<tr>
<td>Job Title</td>
<td>Resolutions Chair</td>
</tr>
<tr>
<td>Address</td>
<td>1747 Orlando Central Parkway</td>
</tr>
<tr>
<td></td>
<td>Orlando FL 32809</td>
</tr>
<tr>
<td>Phone</td>
<td>(407) 855-7104</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:resolutions@floridapta.org">resolutions@floridapta.org</a></td>
</tr>
<tr>
<td>Speaking</td>
<td>[ ] For [ ] Against [ ] Information</td>
</tr>
<tr>
<td>Waive Speaking</td>
<td>[V] In Support [ ] Against</td>
</tr>
<tr>
<td>Representing</td>
<td>Florida PTA</td>
</tr>
<tr>
<td>Appearing</td>
<td>at request of Chair: [ ] Yes [V] No</td>
</tr>
<tr>
<td>Lobbyist</td>
<td>registered with Legislature: [ ] Yes [V] No</td>
</tr>
</tbody>
</table>

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>Athlete Safety Bill</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Laurie Giordano</td>
</tr>
<tr>
<td>Job Title</td>
<td>Zach Martin Memorial Foundation</td>
</tr>
<tr>
<td>Address</td>
<td>13232 Hampton Park Ct.</td>
</tr>
<tr>
<td></td>
<td>Ft. Myers, FL 33913</td>
</tr>
<tr>
<td>Phone</td>
<td>239 300 3229</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:Laurie.g@behip.life">Laurie.g@behip.life</a></td>
</tr>
<tr>
<td>Speaking</td>
<td>For</td>
</tr>
<tr>
<td>Waive Speaking</td>
<td>In Support</td>
</tr>
</tbody>
</table>

Representing: Zach Martin Memorial Foundation

Appearing at request of Chair: Yes
Lobbyist registered with Legislature: Yes

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: 1/27/2020

Bill Number: SB 1696

Topic: Student-Athlete Safety

Name: Robert Seflik

Job Title: Ex. Director

Address: 59 Willow Dr, St. Augustine, FL 32080

Phone: 904-562-9269

Email: Robert.Seflik@bmc.com

Speaking: ☑ For □ Against □ Information

Waive Speaking: □ In Support □ Against

Representing: JSMP & FASME D

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:

SB 190 expands the eligible student population that qualifies for Medicaid eligible school-based health services from school districts and private and charter schools. The bill authorizes schools to certify for reimbursement eligible health services provided to any student enrolled in Medicaid, regardless of whether the student qualifies for Part B or H of the IDEA, the exceptional student education program, or has an individualized education plan. The bill aligns Florida law with federal regulations authorizing federal reimbursement of Medicaid-eligible school-based health services to students enrolled in Medicaid.

The bill does not require the additional appropriation of state funds.

The bill takes effect July 1, 2020.

II. Present Situation:

The Medicaid Program

Florida Medicaid is administered by the Agency for Health Care Administration (AHCA) and financed with federal and state funds. AHCA establishes and maintains a Medicaid state plan, which is approved by the Centers for Medicare & Medicaid Services (CMS) within the U.S. Department of Health and Human Services. The state plan outlines Medicaid eligibility standards, policies, and reimbursement methodologies.

---

1 Section 409.902, F.S.
2 See 42 U.S.C. s. 1396a.
Eligibility for Medicaid is based on a person’s income relative to the federal poverty level.\(^3\) Eligibility for children in Florida varies depending on age, from family incomes of 133 to 206 percent of the federal poverty level.\(^4\) Federal Medicaid spending grew 3 percent to $597.4 billion in 2018.\(^5\) Over 3.7 million Floridians are currently enrolled in Medicaid, and approximately 2.1 million are children.\(^6\)

**Florida Medicaid Certified School Match Program**

**Certified Public Expenditures**

The Florida Medicaid Certified School Match Program governs the Medicaid reimbursement process for school districts.\(^7\) Each school district is authorized to provide students with a category of required Medicaid services termed “school-based services,” which are reimbursable under the federal Medicaid program.\(^8\) To qualify for reimbursement, school districts must provide a certified public expenditure to AHCA. The certified public expenditure certifies that state or local funds were expended for eligible school-based services.\(^9\) Medicaid then reimburses school districts at the federal Medicaid matching percentage rate, which is 61 percent for the fiscal year 2020.\(^10\)

**Eligible Services**

Florida law requires any state or local funds certified by school districts to be expended for children with specified disabilities who are eligible for Medicaid and either part B\(^11\) or part H\(^12\) of the Individuals with Disabilities Education Act (IDEA),\(^13\) the exceptional student education program, or an individualized educational plan (IEP).\(^14\)

Eligible services include physical, occupational, and speech therapy services, behavioral health services, mental health services, transportation services, administrative outreach for the purpose


\(^4\) Id.


\(^7\) Rule 59G.4.035, F.A.C.

\(^8\) Section 1011.70, F.S. Formerly s. 236.0812, F.S., until renumbered in s. 662, ch. 2002-387, L.O.F.

\(^9\) Section 1011.70, F.S.


\(^11\) 20 U.S.C. s. 1411, et seq. Part B applies to children of the ages three through 21 with disabilities.

\(^12\) 20 U.S.C. s. 1431, et seq. Part H applies to infants and toddlers under the age of three with disabilities.

\(^13\) 20 U.S.C. s. 1460, et seq.

of determining eligibility for exceptional student education, and any other such services. Eligible services do not include family planning, immunizations, or prenatal care.

All 67 school districts participate in the Certified School Match Program. The Legislature allocated approximately $98 million from the Medical Care Trust Fund for Medicaid school refinancing for the 2019-2020 fiscal year.

Private and Charter School Providers

In 2016, the Legislature passed ch. 2016-65, L.O.F., which directed AHCA to enroll private and charter schools as Medicaid providers. Unlike school districts, private and charter schools do not use certified public expenditures or other local funds as a match to draw down federal Medicaid funding. Instead, the Legislature appropriates state general revenue funding to serve as matching funds. In every other respect, the program is the same for enrolled private and charter schools. One charter school is currently enrolled and delivering services in the Florida Medicaid program.

The Legislature appropriated $10.3 million for the 2019-2020 fiscal year for eligible school-based services provided by private schools or charter schools that are not participating in the school district’s certified match program.

Centers for Medicare and Medicaid Services Policy

CMS historically had a policy that precluded school districts from seeking payment for services not detailed on an IEP or an individualized family support plan (IFSP). In December 2014, CMS clarified its policy through a State Medicaid Director letter. The updated guidance clarified that school-based health services delivered to any students enrolled in Medicaid are eligible for reimbursement.

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15 Section 1011.70, F.S.
16 Section 1011.70, F.S.
17 Florida Agency for Health Care Administration, Legislative Bill Analysis for SB 190 (2020).
18 Specific Appropriation 216, s. 3, ch. 2019-115, L.O.F.
19 Section 409.9072, F.S.
20 Florida Agency for Health Care Administration, Legislative Bill Analysis for SB 190 (2020).
22 Specific Appropriation 216, s. 3, ch. 2019-115, L.O.F. $4 million was appropriated from general revenue, and $6.3 million was appropriated from the Medical Care Trust Fund.
23 Id.
24 Id.
In response to this updated CMS guidance, AHCA received federal approval for a state plan amendment in October 2016 that authorizes reimbursement for eligible school-based services provided to any Medicaid recipients, regardless of whether the recipient has an IEP or IFSP.26

III. Effect of Proposed Changes:

SB 190 expands the eligible student population that qualifies for Medicaid eligible school-based health services from school districts and private and charter schools. The bill authorizes schools to certify for reimbursement eligible health services provided to any student enrolled in Medicaid, regardless of whether the student qualifies for Part B or H of the IDEA, the exceptional student education program, or has an individualized education plan. The bill aligns Florida law with federal regulations authorizing federal reimbursement of Medicaid-eligible school-based health services to students enrolled in Medicaid.

The bill also modifies s. 409.908, F.S., to update the name of the federal agency authorized to waive qualifications for Medicaid providers as the United States Department of Health and Human Services.

The bill takes effect July 1, 2020.

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.

26 Florida Agency for Health Care Administration, Legislative Bill Analysis for SB 190 (2020).
B. Private Sector Impact:  
None.

C. Government Sector Impact:  
The bill does not require the additional appropriation of state funds. School districts may increase expenditures toward providing eligible school-based health services in order to generate additional federal Medicaid matching funds. This may result in an increase in federal Medicaid expenditures. The fiscal impact of the bill on Florida Medicaid is indeterminate.  

VI. Technical Deficiencies:  
None.

VII. Related Issues:  
None.

VIII. Statutes Affected:  
This bill substantially amends sections 409.9071, 409.9072, and 409.908 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.)  
None.

B. Amendments:  
None.

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

---

27 Florida Agency for Health Care Administration, Legislative Bill Analysis for SB 190 (2020).
By Senator Montford

A bill to be entitled

An act relating to Medicaid school-based services; amending s. 409.9071, F.S.; revising applicable provisions for the reimbursement of school-based services by the Agency for Health Care Administration to certain school districts; deleting a requirement specifying the use of certified state and local education funds for school-based services; conforming a provision to changes made by the act; deleting an obsolete provision; amending s. 409.9072, F.S.; revising a requirement for the agency’s reimbursement of school-based services to certain charter and private schools; conforming a provision to changes made by the act; amending s. 409.908, F.S.; specifying the federal agency that may waive certain school-based provider qualifications; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), paragraph (b) of subsection (2), and subsection (6) of section 409.9071, Florida Statutes, are amended to read:

409.9071 Medicaid provider agreements for school districts certifying state match.—

(1) The agency shall reimburse school-based services as provided in ss. 409.908(21) and 1011.70 former s. 236.0812, U.S.C. s. 1396d(a)(13). For purposes of this section, billing agent consulting services are shall be considered billing agent services, as that term is used in s. 409.913(10), and, as such, payments to such persons may shall not be based on amounts for which they bill nor based on the amount a provider receives from the Medicaid program. This provision may shall not restrict privatization of Medicaid school-based services. Subject to any limitations provided for in the General Appropriations Act, the agency, in compliance with appropriate federal authorization, shall develop policies and procedures and shall allow for certification of state and local education funds that which have been provided for school-based services as specified in s. 1011.70 and authorized by a physician’s order where required by federal Medicaid law. Any state or local funds certified pursuant to this section shall be for children with specified disabilities who are eligible for both Medicaid and part b or part c of the Individuals with Disabilities Education Act (IDEA), or the exceptional student education program, or who have an individualized educational plan.

(2) School districts that wish to enroll as Medicaid providers and that certify state match in order to receive federal Medicaid reimbursements for services, pursuant to subsection (1), shall agree to:

(b) Develop and maintain the financial and other student individual education plan records needed to document the appropriate use of state and federal Medicaid funds.

(4) Retroactive reimbursements for services as specified in former s. 236.0812 as of July 1, 1996, including reimbursement for the 1995-1996 and 1996-1997 school years, are subject to federal approval.

Section 2. Subsection (1) and paragraph (b) of subsection...
(2) of section 409.9072, Florida Statutes, are amended to read:

409.9072 Medicaid provider agreements for charter schools and private schools.—

(1) Subject to a specific appropriation by the Legislature, the agency shall reimburse private schools as defined in s. 1002.01 and schools designated as charter schools under s. 1002.33 which are Medicaid providers for school-based services pursuant to the rehabilitative services option provided under 42 U.S.C. s. 1396d(a)(13) to children younger than 21 years of age with specified disabilities who are eligible for both Medicaid and part B or part H of the Individuals with Disabilities Education Act (IDEA) or the exceptional student education program, or who have an individualized educational plan.

(2) Schools that wish to enroll as Medicaid providers and receive Medicaid reimbursement under this section must apply to the agency for a provider agreement and must agree to:

(a) Develop and maintain the financial and student individual education plan records needed to document the appropriate use of state and federal Medicaid funds.

Section 3. Subsection (21) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider’s rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(21) The agency shall reimburse school districts that which certify the state match pursuant to ss. 409.9071 and 1011.70 for the federal portion of the school district’s allowable costs to deliver the services, based on the reimbursement schedule. The school district shall determine the costs for delivering services as authorized in ss. 409.9071 and 1011.70 for which the state match will be certified. Reimbursement of school-based providers is contingent on such providers being enrolled as Medicaid providers and meeting the qualifications contained in
Section 4. This act shall take effect July 1, 2020.
<table>
<thead>
<tr>
<th>Topic</th>
<th>BILL 190</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>CSMITH</td>
</tr>
<tr>
<td>Job Title</td>
<td>PASTOR</td>
</tr>
<tr>
<td>Address</td>
<td>249 Ivan Church</td>
</tr>
<tr>
<td></td>
<td>Crawfordville, FL 32327</td>
</tr>
<tr>
<td>Phone</td>
<td>850 933-9221</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:ChiwestaSmith4@gmail.com">ChiwestaSmith4@gmail.com</a></td>
</tr>
<tr>
<td>Speaking:</td>
<td>Yes</td>
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<tr>
<td>Waive Speaking:</td>
<td>No</td>
</tr>
<tr>
<td>Representing</td>
<td></td>
</tr>
<tr>
<td>Appearing at request of Chair:</td>
<td>No</td>
</tr>
<tr>
<td>Lobbyist registered with Legislature:</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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: 1/27/20

Bill Number (if applicable): SB 190

Topic: MEDICINE CERTIFIED SCHOOL MATCH

Name: ROBERT GIBBS

Job Title: REV. DR.

Address: 6340 CUCK CALL CT

Phone:

Email:

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

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

Representing: UNITED METHODIST CHURCH/FL. IMPACT

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: 1/27/20

Bill Number (if applicable): SB 1910

Topic: Medicaid certified school meals

Name: Katie Williams

Job Title: FL Impact to End Hunger (COO)

Address: 300 W. Pensacola St.

Phone

Email

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against

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

Representing: FL Impact to End Hunger

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

1/27/2020

Meeting Date

Topic Medicaid School-based Services

Name Amanda Fraser

Job Title

Address 205 S. Adams St

Tallahassee FL 32301

City State Zip

Phone 850-556-1401

Email

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(Chair will read this information into the record.)

Representing Broward County

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.

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

S-001 (10/14/14)
Meeting Date: 1/27/20

Bill Number (if applicable): 90

Amendment Barcode (if applicable):

Topic: Medicaid School Bond

Name: David Cullen

Job Title:

Address: 104 Crest St, #2

Street:

City: Tallahassee

State: FL

Zip: 32301

Phone: Phone #

Email: Email #

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.

This form is part of the public record for this meeting.
01/27/2020
Meeting Date

Topic Medicaid Certification School Health Program

Name DAVID GILL

Job Title Pastor, United Methodist Church

Address 2213 Mulberry Blvd.
Tallahassee, FL 32303

Phone 352-223-2759
Email david.murray.barlow@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

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

Representing Florida Impact, Florida Annual Conference, United Methodist Church

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.
Meeting Date 1-27-2020

Topic Medicaid School Based Services

Name Matt Guse

Job Title CEO

Address 1126 Lee Avenue
Street
Tallahassee FL 32303

Speaking: □ For □ Against □ Information

Representing Florida Children's Council

Phone 850-577-3199
Email mguse@floridacsc.org

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)

1/27/2020

Meeting Date

Topic Medicaid Certification School Match Program

Name Hannah Newton

Job Title

Address 3120 54th Ave N.

Street

St. Petersburg FL 33714

City State Zip

Phone 270-231-2429

Email hannahkate96@yahoo.com

Speaking: □ For □ Against □ Information

Waive Speaking: □ In Support □ Against

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

Representing Florida Impact

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)
Meeting Date: 90
Bill Number (if applicable)

Topic: Medicaid School Based Services

Amendment Barcode (if applicable)

Name: Beth Labasky

Job Title: Consultant

Address: 1400 Village Sq. Blvd

Phone: 850-322-7975

Email: bjl2000@yahoo.com

City: Tallahassee
State: FL
Zip: 32312

Speaking: For [X] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against

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

Representing: Florida Impact

Appearing at request of Chair: [X] 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.

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

S-001 (10/14/14)
<table>
<thead>
<tr>
<th>Topic</th>
<th>MEDICARE CERTIFIED SCHOOL MATCH PROGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>WILLIE L MERRICK</td>
</tr>
<tr>
<td>Job Title</td>
<td>PASTOR</td>
</tr>
<tr>
<td>Address</td>
<td>PO BOX 6825</td>
</tr>
<tr>
<td>Street</td>
<td>YALLAHASSEE, FL 32314</td>
</tr>
<tr>
<td>City</td>
<td>YALLAHASSEE</td>
</tr>
<tr>
<td>State</td>
<td>FL</td>
</tr>
<tr>
<td>Zip</td>
<td>32314</td>
</tr>
<tr>
<td>Phone</td>
<td>850-576-2345</td>
</tr>
<tr>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>Speaking:</td>
<td>For ☐ Against ☐ Information ☐</td>
</tr>
<tr>
<td>Waive Speaking:</td>
<td>☒ In Support ☐ Against</td>
</tr>
<tr>
<td>Representing</td>
<td>FLIPPED CHAPEL AME CHURCH</td>
</tr>
<tr>
<td>Appearing at</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>request of Chair:</td>
<td></td>
</tr>
<tr>
<td>Lobbyist</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>registered with</td>
<td></td>
</tr>
<tr>
<td>Legislature:</td>
<td></td>
</tr>
</tbody>
</table>

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This form is part of the public record for this meeting.
1/27/2020
SB 0190

Meeting Date

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

Topic
Medicaid School-based Services

Name
Khanh-Lien (Connie) Banko

Job Title
Resolution's Chair

Address
1747 Orlando Central Parkway
Orlando, FL 32809

Phone (407) 855-7604

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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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: 1/27/20

Name: John J. Sullivan

Job Title: Director, Legislative Affairs

Address: 600 S.E. 3rd Ave, Fort Lauderdale, FL 33301

Phone: 754-321-2808

Email: John.J.Sullivan@BrowardSchools.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

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

Representing: Broward County 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.
<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>01.27.2020</th>
<th>Bill Number (if applicable)</th>
<th>0190</th>
</tr>
</thead>
<tbody>
<tr>
<td>Topic</td>
<td>Medicaid School based Services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Amanda Gorski</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Job Title</td>
<td>Public Policy Community Engagement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>3150 SW 3rd Ave.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>3/571-5700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:amandas@thechildren.org">amandas@thechildren.org</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Speaking:</td>
<td>For ☐ Against ☒ Information ☐</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waive Speaking:</td>
<td>In Support ☒ Against ☐</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Representing</td>
<td>The Children's Trust Miami-Dade County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appearing at request of Chair:</td>
<td>Yes ☒ No ☐</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lobbyist registered with Legislature:</td>
<td>Yes ☐ No ☒</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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>Medicaid School Bond Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Natalie Icing</td>
</tr>
<tr>
<td>Job Title</td>
<td>VP/CEO</td>
</tr>
<tr>
<td>Address</td>
<td>235 W Brandon Blvd 640 33511</td>
</tr>
<tr>
<td>Phone</td>
<td>813 924 8218</td>
</tr>
<tr>
<td>Email</td>
<td>NatalieDrsacoons.mt</td>
</tr>
<tr>
<td>Speaking</td>
<td>For</td>
</tr>
<tr>
<td>Waive Speaking</td>
<td>In Support</td>
</tr>
<tr>
<td>Representing</td>
<td>United Way Suncoast</td>
</tr>
<tr>
<td>Appear at req of Chair</td>
<td>Yes ✗ No</td>
</tr>
</tbody>
</table>

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

**Meeting Date**: 1/28/20

**Bill Number (if applicable)**: SB 190

**Topic**: Medicaid Services in Schools

**Name**: Suzanne Sewell

**Job Title**: President & CEO

**Address**: 2425 Apalachee Parkway, Suite 205

**Phone**: 850-942-3520

**Email**: ssewell@floridahealthcare.org

**Speaking**: □ For  □ Against  □ Information

**Waive Speaking**: □ In Support  □ Against

(To be read this information into the record.)

**Representing**: Florida Association of Rehabilitation Facility

**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)

1-27-20

Meeting Date

Bill Number (if applicable)

SB 190

Topic

SB 190

Name

Anne Swedlick

Job Title

Health Policy Analyst

Address

1001 W. Orange Ave.

City

Orlando

State

Fl.

Zip

32801

Phone

Email

Speaking:

For

Against

Information

Waive Speaking:

In Support

Against

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

Representing

Florida Policy Institute

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

1/22/2020

Bill Number (if applicable)

190

Amendment Barcode (if applicable)

Name

Joy Frank

Job Title

General Counsel

Address

208 S. Monroe St

Phone

850-521-5740

Email

Representing

FIA Assoc. of District School Superintendents

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>Medical School Based Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Albert Balido</td>
</tr>
<tr>
<td>Job Title</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>201 W Park Ave #100</td>
</tr>
<tr>
<td>Street</td>
<td>Palm</td>
</tr>
<tr>
<td>City</td>
<td>Orlando</td>
</tr>
<tr>
<td>State</td>
<td>FL</td>
</tr>
<tr>
<td>Zip</td>
<td>32301</td>
</tr>
<tr>
<td>Phone</td>
<td>8502583476</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:albert@balido.com">albert@balido.com</a></td>
</tr>
<tr>
<td>Speaking</td>
<td>For</td>
</tr>
<tr>
<td>Representing</td>
<td>Florida Policy Institute</td>
</tr>
<tr>
<td>Appearing at request of Chair</td>
<td>Yes</td>
</tr>
<tr>
<td>Lobbyist registered with Legislature</td>
<td>Yes</td>
</tr>
</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 1/27/2020

Bill Number (if applicable) SB 190

Topic Medicaid School-based Services

Name Olivia Babis

Job Title Public Policy Analyst

Address 2473 Case Dr, St 200

Phone 850-617-9718

Email olivia.b@disabilityrightsflorida.org

Address Street Tallahassee FL 32308

City State Zip

Speaking: □ For □ Against □ Information

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

Representing Disability Rights 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.

S-001 (10/14/14)
Meeting Date: 1/27/20

Bill Number (if applicable): SB 90

Topic: Medicaid School-based Services

Name: Ivanda Mendez-Castaya

Job Title: Associate Superintendent, Miami-Dade County Public Schools

Address: 1450 NE 2nd Ave Suite 931, Miami FL 33137

Phone: 305-995-2532

Email: imendez@dasd.k12.fl.us

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(No information was entered about waiving speaking rights.)

Representing: Miami-Dade County 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.

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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

1/27/2020

Bill Number (if applicable)

190

Topic

Medicaid school-based services

Name

Heather Davidson

Job Title

Director of Public Policy

Address

1300 S. Andrews Ave.

Street

Fort Lauderdale, FL 33312

City

State

Zip

Phone

954.358.9277

Email

ndavidson@unitedwaybroward.org

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)
<table>
<thead>
<tr>
<th>Topic</th>
<th>Medical School Based Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Ruth Brandwein</td>
</tr>
<tr>
<td>Job Title</td>
<td>NASH Leg. Chair</td>
</tr>
<tr>
<td>Address</td>
<td>1503 Clover Creek Dr</td>
</tr>
<tr>
<td>Street</td>
<td>8xsoth</td>
</tr>
<tr>
<td>City</td>
<td>FL</td>
</tr>
<tr>
<td>State</td>
<td>34231</td>
</tr>
<tr>
<td>Phone</td>
<td>631-521-9210</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:jbrandwein@nash.org">jbrandwein@nash.org</a></td>
</tr>
<tr>
<td>Speaking</td>
<td>☐ For ☐ Against ☐ Information</td>
</tr>
<tr>
<td>Waive Speaking</td>
<td>☐ In Support ☐ Against</td>
</tr>
<tr>
<td>Representing</td>
<td>NASH Assn &amp; Social Workers FL</td>
</tr>
<tr>
<td>Appear at request of Chair</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Lobbyist registered</td>
<td>☐ Yes ☒ No</td>
</tr>
</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

12/27

Bill Number (if applicable)

JP 190

Topic

Medicaid School-Based Services

Name

Megan Turetsky

Job Title

Government Affairs Manager

Address

6600 W Commercial Blvd

Street

Lauderhill

City

State

FL

Zip

33319

Phone

954-551-0735

Email

Mturetsky@Broward.org

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 [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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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: 1/27/20

Bill Number (if applicable): SB 190

Topic: Medicaid certified school match

Name: Brenda Gibbs

Job Title: 

Address: 1340 Duck Call Ct.
Street: 
City: Tallahassee

Phone: 850-329-2638
Email: whgibbs7@ymail.com

Zip: 32309

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

Representing: United Methodist Church + FLA Impact

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)
1/27/20

Meeting Date

Topic

Medicaid Certificate School Mander

Name

Senah Hundley

Job Title

Leg

Address

Lynnpkin Ctr

Crawfordsville, FL 32327

Phone

958 3958

Email

Sheldhundley@gmail.com

Speaking:

☑ For ☐ Against ☐ Information

Representing

FL BMC

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)
Summary:

SB 738 allows students who are 18 to 21 years of age to be excused from jury service upon request if they are enrolled as a full-time student at a high school, state university, private post-secondary educational institution, Florida College System Institution, or career center. The bill does not affect jury service for those students older than 21 years of age. The bill takes effect July 1, 2020.

Present Situation:

Background on Jury Selection

Potential jurors are selected randomly from a list of names provided quarterly to the clerk of the circuit court by the Florida Department of Highway Safety and Motor Vehicles (DHSMV). Jurors must be 18 years of age or older, citizens of the United States, and legal residents of Florida and their respective counties, and have a driver license or identification card record on file with the DHSMV.

There are two ways in which a juror venire or pool may be selected. In the first, a clerk of court may use the names provided by the DHSMV to generate juror candidate lists as necessary to ensure a valid and consistent juror selection process. In the second, the chief judge of a circuit court or the clerk of the court may request that the Florida Supreme Court approve the use of an automated electronic system as the exclusive manner in which the names of prospective jurors...
are randomly selected. A person who is selected for jury service who does not attend court when summoned may be fined up to $100, and his or her absence may be considered a contempt of the court.

The Legislature has adopted a “one day” or “one trial” rule for jury service, where a prospective juror must either participate in one trial or, at minimum, one day of initial reporting, for jury service. The average trial lasts about 3 days.

Disqualification or Excusal from Jury Service

Certain individuals may be disqualified from jury service based on Florida law. Others must be excused from service upon request, and still others may be excused at the discretion of a judge.

Persons disqualified from jury selection include:
- A person who is under prosecution for a crime or has committed a felony, unless that person’s civil rights have been restored;
- The Governor, Lieutenant Governor, Cabinet officer, clerk of court, or judge;
- Any person interested in any issue to be tried;
- Any person who, because of mental illness, intellectual disability, senility, or other physical or mental incapacity, is permanently incapable of caring for himself or herself;
- Any person who is responsible for the care of a person who, because of mental illness, intellectual disability, senility, or other physical or mental incapacity, is incapable of caring for himself or herself; and
- Any person who does not possess sufficient knowledge of reading, writing, or arithmetic to understand a civil case, if the civil case requires such knowledge.

Individuals who must be excused upon request include:
- Any full-time federal, state, local law enforcement officer, or investigative personnel, unless such persons choose to serve;
- A person who was summoned and who reported as a prospective juror in any court in that person’s county of residence within 1 year before the first day for which the person is being considered for jury service;
- Any expectant mother and any parent who is not employed full time and who has custody of a child under 6 years of age; and
- A person 70 years of age or older.

Persons who may be excused include:

---

4 Section 40.225, F.S.  
5 Section 40.23, F.S.  
6 Section 40.41, F.S.  
8 Fla. R. Crim. P. 3.300  
9 Section 40.013, F.S.  
10 Fla. R. Civ. P. 1.431(c)(3).  
11 Section 40.013, F.S.  
12 Id.
A practicing attorney, a practicing physician, or a person who is physically infirm from jury service; and
A person showing of hardship, extreme inconvenience, or public necessity.

Demographics of Students

The average age of a student enrolled in a state university in the 2017-2018 academic year was 22.\textsuperscript{13} In the fall of 2018, 91,530 students, or 21 percent of the total enrollment in Florida public college system institutions were 18 to 21 years of age and enrolled full-time.\textsuperscript{14} 11,721 students who were 18 to 21 years of age were enrolled in a Florida career center.\textsuperscript{15}

Students Selected for Jury Service

Selection for jury service is based upon the person’s county of residence as it is listed on his or her driver’s license.\textsuperscript{16} Many students attend college or a university outside of their county of residence and may request to postpone their jury summons due to their academic requirements. Florida law allows a person to request excusal on the basis of being a student; although, it is at the discretion of the judge. A person may postpone his or her jury summons for up to six months after the original summoning date.\textsuperscript{17}

Some states, such as, Georgia\textsuperscript{18} North Carolina,\textsuperscript{19} Michigan,\textsuperscript{20} and South Carolina\textsuperscript{21} currently excuse students from jury selection during the period of time that the student is enrolled and taking classes or exams. Georgia, however, only excuses students who are enrolled out of the state. Texas allows students of public or private post-secondary institutions to be excused, without any age or full-time status requirement.\textsuperscript{22}

III. Effect of Proposed Changes:

SB 738 allows students who are 18 to 21 years of age to be excused from jury service upon request if they are enrolled as a full-time student at a high school, state university, private post-secondary educational institution, Florida College System Institution, or career center.

The bill does not affect jury service for those students older than 21 years of age.

The bill takes effect July 1, 2020.

\textsuperscript{14} Florida Department of Education, Florida College System, Fall 2018 Student Enrollments by Age (Jan. 2020) (On file with staff of the Education Committee).
\textsuperscript{15} Florida Department of Education, WDIS Vocational Enrollment for Ages 18-21, 2018-19 (2019) (On file with staff of the Education Committee).
\textsuperscript{16} Section 40.01, F.S.
\textsuperscript{17} Section 40.23, F.S.
\textsuperscript{18} Ga. Code § 15-12-1.1 (2014)
\textsuperscript{19} N.C. Gen. Stat. § 9-6 (b)(1)
\textsuperscript{20} MSA § 600.1335
\textsuperscript{21} SC Code Ann. §14-7-845
\textsuperscript{22} Tex. Gov. Code § 62.106
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:**
   None.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends section 40.013 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.)
   
   None.

B. Amendments:

   None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
A bill to be entitled
An act relating to jury service; amending s. 40.013, 
F.S.; requiring certain students actively enrolled in 
specified schools to be excused from jury service upon 
request; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (11) is added to section 40.013, 
Florida Statutes, to read:

40.013 Persons disqualified or excused from jury service.—
(11) A person between 18 and 21 years of age, inclusive, 
who is actively enrolled as a full-time student in high school 
or at any state university, private postsecondary educational 
institution, Florida College System institution, or career 
center shall be excused from jury service upon request.

Section 2. This act shall take effect July 1, 2020.
## WDIS Vocational Enrollment for Ages 18-21

2018-19; Surveys 21, 22, & 23

*Unduplicated by District and Student

*Note: Districts not listed had zero students reported for WDIS vocational enrollment for ages 18-21 ** To protect student identities, cells with fewer than 10 students have been blanked.

<table>
<thead>
<tr>
<th>District #</th>
<th>District Name</th>
<th>Dual Enrolled</th>
<th>Not Dual Enrolled</th>
</tr>
</thead>
<tbody>
<tr>
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<td>FLORIDA</td>
<td>2,719</td>
<td>11,721</td>
</tr>
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<tr>
<td>03</td>
<td>BAY</td>
<td>14</td>
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<tr>
<td>04</td>
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<td>BREVARD</td>
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<td>09</td>
<td>CITRUS</td>
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<td>**</td>
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<td>13</td>
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<td>15</td>
<td>DIXIE</td>
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<td>17</td>
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<td>18</td>
<td>FLAGLER</td>
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<td>GADSDEN</td>
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<td>26</td>
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<td>29</td>
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<tr>
<td>53</td>
<td>POLK</td>
<td>**</td>
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<tr>
<td>55</td>
<td>ST. JOHNS</td>
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<td>227</td>
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<tr>
<td>57</td>
<td>SANTA ROSA</td>
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<td>107</td>
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<td>58</td>
<td>SARASOTA</td>
<td>168</td>
<td>403</td>
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<tr>
<td>60</td>
<td>SUMTER</td>
<td>**</td>
<td>**</td>
</tr>
<tr>
<td>61</td>
<td>SUWANNEE</td>
<td>17</td>
<td>103</td>
</tr>
</tbody>
</table>
WDIS Vocational Enrollment for Ages 18-21
2018-19; Surveys 21, 22, & 23
*Unduplicated by District and Student
*Note: Districts not listed had zero students reported for WDIS vocational enrollment for ages 18-21 ** To protect student identities, cells with fewer than 10 students have been

<table>
<thead>
<tr>
<th>District #</th>
<th>District Name</th>
<th>Dual Enrolled</th>
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</thead>
<tbody>
<tr>
<td>00</td>
<td>FLORIDA</td>
<td>2,719</td>
<td>11,721</td>
</tr>
<tr>
<td>62</td>
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<td>84</td>
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<tr>
<td>66</td>
<td>WALTON</td>
<td>11</td>
<td>91</td>
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<tr>
<td>67</td>
<td>WASHINGTON</td>
<td>32</td>
<td>195</td>
</tr>
</tbody>
</table>
Table 1 identifies the Florida College System (FCS) fall 2018 student headcount by age and enrollment status (full-time or part-time). Age is calculated based on the Integrated Postsecondary Education Data System (IPEDS) October 15th cutoff date. Enrollments include FCS students enrolled in a postsecondary credit- or clock-hour program. Note, students may change their full- or part-time enrollment status between terms within a single reporting year.

### Table 1. Florida College System fall 2018 student headcount by age and enrollment status (full-time or part-time).

<table>
<thead>
<tr>
<th>Enrollment Status</th>
<th>Age</th>
<th>Total</th>
<th>Percent of Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full-Time</td>
<td>Under 18</td>
<td>13,338</td>
<td>9%</td>
</tr>
<tr>
<td></td>
<td>18-21</td>
<td>91,530</td>
<td>59%</td>
</tr>
<tr>
<td></td>
<td>22-24</td>
<td>16,620</td>
<td>11%</td>
</tr>
<tr>
<td></td>
<td>25-29</td>
<td>15,084</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>30-34</td>
<td>7,633</td>
<td>5%</td>
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<tr>
<td></td>
<td>35-39</td>
<td>4,488</td>
<td>3%</td>
</tr>
<tr>
<td></td>
<td>40-49</td>
<td>4,470</td>
<td>3%</td>
</tr>
<tr>
<td></td>
<td>50-64</td>
<td>1,759</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td>65 Over</td>
<td>78</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Age Unknown</td>
<td>16</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>155,016</strong></td>
<td><strong>100%</strong></td>
<td></td>
</tr>
</tbody>
</table>

| Part-Time         | Under 18 | 36,000 | 13%     |
|                   | 18-21    | 97,278 | 34%     |
|                   | 22-24    | 44,958 | 16%     |
|                   | 25-29    | 41,401 | 15%     |
|                   | 30-34    | 22,611 | 8%      |
|                   | 35-39    | 14,656 | 5%      |
|                   | 40-49    | 17,821 | 6%      |
|                   | 50-64    | 9,134  | 3%      |
|                   | 65 Over  | 983    | 0%      |
|                   | Age Unknown | 17 | 0%      |
| **Subtotal**      | **284,859** | **100%** |                     |

**Grand Total** | **439,875** | **100%** |


Notes. Data are based on 2018-19 fall beginning-of-term enrollments consistent with Federal IPEDS EF2 submission. Full-time and part-time students having unknown gender are not included. Age is based on the IPEDS October 15th cutoff date.
January 27, 2020

Meeting Date

Topic Students Jury Service

Name Dan Hendrickson

Address PO Box 1201
Street
Tallahassee, FL 32302

City Tallahassee
State FL
Zip 32302

Phone 850/570-1967

Email danbhendrickson@comcast.net

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>Jury Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Stacy Butterfield</td>
</tr>
<tr>
<td>Job Title</td>
<td>Clerk of Court</td>
</tr>
<tr>
<td>Address</td>
<td>P.O. Box 9000</td>
</tr>
<tr>
<td>City</td>
<td>Bartow</td>
</tr>
<tr>
<td>State</td>
<td>FL</td>
</tr>
<tr>
<td>Zip</td>
<td>33830</td>
</tr>
<tr>
<td>Phone</td>
<td>863-661-4105</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:stacybutterfield@polk-county.net">stacybutterfield@polk-county.net</a></td>
</tr>
<tr>
<td>Speaking</td>
<td>For ☑ Against ☐ Information ☐</td>
</tr>
<tr>
<td>Waive Speaking</td>
<td>In Support ☐ Against ☐</td>
</tr>
<tr>
<td>Representing</td>
<td>Polk County Clerk's Office</td>
</tr>
<tr>
<td>Appearing at request of Chair</td>
<td>Yes ☑ No ☐</td>
</tr>
<tr>
<td>Lobbyist registered with Legislature</td>
<td>Yes ☑ No ☐</td>
</tr>
</tbody>
</table>

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:**

SB 774 creates an exemption from public records and public meetings requirements for any personal identifying information associated with applicants for president of a state university or Florida College System institution.

The bill specifies that the proposed exemption does not apply once a final group of at least three applicants is established.

The bill provides that the exemption is subject to the Open Government Sunshine Review Act, and so is repealed on October 2, 2025, unless saved from repeal by the Legislature.

The bill has no impact on state revenues or expenditures.

The bill takes effect upon becoming a law.

II. **Present Situation:**

**Access to Public Records - Generally**

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business. The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.

---

1 Art. I, s. 24(a), Fla. Const.
2 *Id.*
Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, section 11.0431, Florida Statutes (F.S.), provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)–(3), F.S., and the statutory provisions are adopted in the rules of each house of the legislature. Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records. Lastly, chapter 119, F.S., provides requirements for public records held by executive agencies.

Executive Agency Records – The Public Records Act

Chapter 119, F.S., known as the Public Records Act, provides that all state, county and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.

A public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted. The Florida Supreme Court has interpreted the statutory definition of “public record” to include “material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type.

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record. A violation of the Public Records Act may result in civil or criminal liability.

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate. The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.

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4 State v. Wooten, 260 So. 3d 1060 (Fla. 4th DCA 2018).
5 Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”
6 Section 119.011(12), F.S., defines “public record” to mean “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”
7 Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc., 379 So. 2d 633, 640 (Fla. 1980).
8 Section 119.07(1)(a), F.S.
9 Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.
10 Art. I, s. 24(c), Fla. Const.
11 Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp., 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); Baker County Press, Inc. v. Baker County Medical Services, Inc., 870 So. 2d 189
General exemptions from the public records requirements are contained in the Public Records Act. Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” Custodians of records designated as “exempt” are not prohibited from disclosing the record; rather, the exemption means that the custodian cannot be compelled to disclose the record. Custodians of records designated as “confidential and exempt” may not disclose the record except under circumstances specifically defined by the Legislature.

Open Government Sunset Review Act

The Open Government Sunset Review Act (the Act) prescribes a legislative review process for newly created or substantially amended public records or open meetings exemptions, with specified exceptions. It requires the automatic repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary. An exemption serves an identifiable purpose if it meets one of the following purposes and the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

1. It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;
2. It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual’s safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;

(Florida First District Court of Appeal 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

See, e.g., s. 119.071(1)(a), F.S. (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

See, e.g., s. 213.053(2)(a), F.S. (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

See Williams v. City of Minneola, 575 So. 2d 683, 687 (Fla. 5th DCA 1991).

WFTV, Inc. v. The School Board of Seminole, 874 So. 2d 48 (Fla. 5th DCA 2004).

Section 119.15, F.S.

An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

Section 119.15(2)(a) and (b), F.S., provide that exemptions that are required by federal law or are applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

Section 119.15(3), F.S.

Section 119.15(6)(b), F.S.

Section 119.15(6)(b)1., F.S.

Section 119.15(6)(b)2., F.S.
- It protects information of a confidential nature concerning entities, such as trade or business secrets.\textsuperscript{23}

The Act also requires specified questions to be considered during the review process.\textsuperscript{24} In examining an exemption, the Act directs the Legislature to carefully question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.\textsuperscript{25} If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are \textit{not} required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless provided for by law.\textsuperscript{26}

\textbf{State University System and Florida College System Governance}

The State University System (SUS) is composed of all public state universities.\textsuperscript{27} The Board of Governors of the SUS (BOG) is required to operate, regulate, control, and be fully responsible for the management of the whole university system.\textsuperscript{28} Each state university is governed by a local board of trustees (BOT).\textsuperscript{29}

The Florida College System (FCS) is composed of all public community and state colleges.\textsuperscript{30} The State Board of Education (SBE) supervises the FCS as provided in law.\textsuperscript{31} A local BOT governs each FCS institution.\textsuperscript{32}

\textbf{State University and Florida College System Presidential Searches}

Each state university BOT selects its university president, subject to confirmation of the candidate by the BOG and in accordance with BOG Regulation. To locate qualified applicants, a presidential search committee is appointed to make recommendations to the full university BOT.\textsuperscript{33}

\textsuperscript{23} Section 119.15(6)(b)3., F.S.
\textsuperscript{24} Section 119.15(6)(a), F.S. The specified questions are:
\begin{itemize}
  \item What specific records or meetings are affected by the exemption?
  \item Whom does the exemption uniquely affect, as opposed to the general public?
  \item What is the identifiable public purpose or goal of the exemption?
  \item Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
  \item Is the record or meeting protected by another exemption?
  \item Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?
\end{itemize}
\textsuperscript{25} See generally s. 119.15, F.S.
\textsuperscript{26} Section 119.15(7), F.S.
\textsuperscript{27} Art. IX, s. 7(b), Fla. Const. The State University System is made up of 12 state universities, specified in s. 1000.21(6), F.S.
\textsuperscript{28} Art. IX, s. 7(d), Fla. Const. \textit{See also} ss. 20.155(4)(a), 1001.70(3), 1001.705(2), and 1001.706(2)(a), F.S.
\textsuperscript{29} Art. IX, s. 7(b), Fla. Const. \textit{See also} s. 1001.71(1), F.S.
\textsuperscript{30} Art. IX, s. 8(b), Fla. Const. The Florida College System is made up of 28 community and state colleges specified in s. 1000.21(3), F.S.
\textsuperscript{31} Art. IX, s. 8(d), Fla. Const. \textit{See also} s. 1001.02(1), F.S.
\textsuperscript{32} Art. IX, s. 8(b), Fla. Const. \textit{See also} ss. 1001.60(3) and 1001.64(2), F.S.
\textsuperscript{33} Board of Governors (BOG) Regulation 1.001(5)(c)
BOG regulation specifies criteria to ensure that the search process is transparent, robust, and designed to attract highly qualified individuals. Criteria include the requirements that a search committee be familiar, or demonstrate its ability to become familiar, with Florida’s Sunshine laws, and that the search committee maintain a webpage that includes search committee notices, agendas, and meetings; applicant lists; and means to provide input; for purposes of transparency.

Each FCS institution BOT is authorized to appoint the president of the FCS institution. The BOT is authorized to appoint a search committee to assist in the process. Each BOT is required to notify the SBE of the appointment of presidents immediately upon such action.

Each state university and FCS institution, and any entities providing services to assist the search process, must comply with requirements regarding public records and public meetings.

III. **Effect of Proposed Changes:**

SB 774 creates s. 1004.098, F.S., to establish an exemption from public records and public meetings requirements for personal identifying information regarding a presidential search at a state university or Florida College System (FCS) institution.

The bill specifies that any personal identifying information of an applicant for president of a state university or FCS institution is confidential and exempt from public records requirements, and does not define any circumstance in which such information may be released.

The bill includes in the exemption any meeting held for the purpose of identifying or vetting applicants for president of a state university or FCS institution. This exemption does not apply to a meeting held for the purpose of establishing qualifications of potential applicants or any compensation framework to be offered to potential applicants. However, the bill specifies that any portion of such a meeting which would disclose personal identifying information of an applicant or potential applicant is exempt from public meeting requirements.

The bill specifies that the exemption from public meetings requirements does not apply to any meeting or interview held after a final group of at least three applicants has been established, which is conducted for the purpose of making a final selection to fill the position of president of a state university or FCS institution. In such cases, the names of three or more applicants who comprise a final group of applicants must be released by the state university or FCS institution no later than 21 days before the date of the meeting at which final action or voting is to occur on the employment of the applicants. There is currently no policy that specifies the timeframe for release of applicants’ names prior to a final decision.

---

34 BOG Regulation 1.002(1).
35 BOG Regulation 1.002(1)(b)ii.
36 BOG Regulation 1.002(1)(c)ii.
37 Section 1001.64(19), F.S.
38 Rule 6A-14.026, F.A.C.
39 FCS institutions and state universities are considered state agencies, subject to Sunshine laws. See Wood v. Marston, 442 So. 2d 934, 938 (Fla. 1983) (holding that a University of Florida screening committee was subject to Florida's Sunshine Law); Rheu v. District Bd. Of Trustees of Santa Fe College, 2013 WL 950544 at 3, n. 1 (Fla. 1st DCA 2013) (noting that Santa Fe College, as part of the Florida College System, is a state agency having a duty to provide access to public records).
In addition, the bill specifies that the exemption from public records requirements does not apply to any personal identifying information of the three or more applicants who comprise a final group of applicants that are announced at a public meeting. The bill requires that the identifying information be released when the applicant’s names are released.

The exemption from public records and public meetings established in the bill is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

Pursuant to a requirement in the State Constitution, the bill establishes the public necessity justifying the exemption. The bill asserts that applicants for president who are currently employed could jeopardize their current positions if it were know that they were seeking employment elsewhere. Further, the bill specifies that an exemption is necessary to allow an institution search committee to have the most experienced and desirable pool of qualified applicants from which to fill the position of president.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill enacts a new exemption for personal identifying information about applicants for the position of president at a state university or Florida College System (FCS) institution, thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section two of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect personal identifying information of applicants for the

---

40 Art. I, s. 24(c), Fla. Const.
position of president of a state university or FCS institution. This bill exempts only personal identifying information of such individuals, and portions of meetings where such information is discussed, from the public records requirements. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

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 bill has no impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The First Amendment Foundation has opposed the exemption established in the bill as contrary to the public interest.41

VIII. Statutes Affected:

This bill creates section 1004.098 of the Florida Statutes.

This bill creates an unnumbered section of law.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Changes:**
   (Summarizing differences between the Committee Substitute and the prior version of the bill.)
   
   None.

B. **Amendments:**

   None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
A bill to be entitled
An act relating to public records and meetings;
creating s. 1004.098, F.S.; providing an exemption
from public records requirements for any personal
identifying information of an applicant for president
of a state university or Florida College System
institution; providing an exemption from public
meeting requirements for any meeting held for the
purpose of identifying or vetting applicants for
president of a state university or Florida College
System institution and for any portion of a meeting
held for the purpose of establishing qualifications
of, or any compensation framework to be offered to,
such potential applicants which would disclose
personal identifying information of an applicant or
potential applicant; providing applicability;
requiring release of the names of specified applicants
within a certain timeframe; providing for future
legislative review and repeal of the exemptions;
providing a statement of public necessity; providing
an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1004.098, Florida Statutes, is created
to read:
1004.098 Information identifying applicants for president
at state universities and Florida College System institutions;
public records exemption; public meeting exemption.—

(1) Any personal identifying information of an applicant
for president of a state university or Florida College System
institution is confidential and exempt from s. 119.07(1) and s.
24(a), Art. I of the State Constitution.

(2) Any meeting held for the purpose of identifying or
vetting applicants for president of a state university or
Florida College System institution is exempt from s. 286.011 and
s. 24(b), Art. I of the State Constitution. This exemption does
not apply to a meeting held for the purpose of establishing
qualifications of potential applicants or any compensation
framework to be offered to potential applicants. However, any
portion of such a meeting which would disclose personal
identifying information of an applicant or potential applicant
is exempt from s. 286.011 and s. 24(b), Art. I of the State
Constitution.

(3) Any meeting or interview held after a final group of at
least three applicants has been established which is conducted
for the purpose of making a final selection to fill the position
of president of a state university or Florida College System
institution is subject to s. 286.011 and s. 24(b), Art. I of the
State Constitution.

(4) The names of the three or more applicants who comprise
a final group of applicants pursuant to subsection (3) must be
released by the state university or Florida College System
institution no later than 21 days before the date of the meeting
at which final action or voting is to occur on the employment of
the applicants.

(5) Any personal identifying information of the three or
more applicants who comprise a final group of applicants
pursuant to subsection (3) becomes subject to s. 119.07(1) and s. 24(a), Art. I of the State Constitution at the time the names of such applicants are released pursuant to subsection (4).

(6) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that any personal identifying information of an applicant for president of a state university or Florida College System institution be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The Legislature also finds that any meeting held for the purpose of identifying or vetting applicants for president of a state university or Florida College System institution and any portion of a meeting held for the purpose of establishing qualifications of, or any compensation framework to be offered to, such potential applicants which would disclose personal identifying information of an applicant or potential applicant be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Article I of the State Constitution. The task of filling the position of president of a state university or Florida College System institution is often conducted by an executive search committee. Many, if not most, applicants for such a position are currently employed at another job at the time they apply, and their current positions could be jeopardized if it were to become known that they were seeking employment elsewhere. These exemptions from public records and public meeting requirements are needed to ensure that an executive search committee can avail itself of the most experienced and desirable pool of qualified applicants from which to fill the position of president of a state university or Florida College System institution. If potential applicants fear the possibility of losing their current jobs as a consequence of attempting to further their careers or simply seeking different and more rewarding employment, failure to have these safeguards in place could have a chilling effect on the number and quality of applicants available to fill the position of president of a state university or Florida College System institution.

Section 3. This act shall take effect upon becoming a law.
The Florida Senate

APPEARANCE RECORD

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

Meeting Date: 5/27/20

Bill Number (if applicable): SB 774

Topic: University Searches

Name: Dr. Rich Templin

Job Title: 

Address: 135 S. Monroe

City: Tallahassee

State: FL

Zip: 32301

Phone: 850-224-6626

Email:

Speaking: ☑ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☑ Against

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

Representing: Florida Agriculture

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.
12/26
Meeting Date

SB 774 (Transparency)
Topic

Martin Balinsky
Name

Professor, geology
Job Title

3200 Locksley Ln
Address

Talla FL 32312
Street City State Zip

(850) 980-1949
Phone

balinsky2@gmail.com
Email

Representing

UFF- Tallahassee Community College

For Against Information
Speaking: Waive Speaking: In Support Against

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.
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.
The Florida Senate

APPEARANCE RECORD

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

Meeting Date 1/27/20

Bill Number (if applicable) SB 774

Topic Postsecondary Education Executive Search

Name Kyle Cavarroiskis

Job Title

Address 1219 Goldfinch Dr Apt 5

Street

City Pland

State FL

Zip 33563

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.

S-001 (10/14/14)
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<tr>
<th>Topic</th>
<th>Post Secondary Ed. Executive search</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Kyle Milwee</td>
</tr>
<tr>
<td>Job Title</td>
<td>Laborer</td>
</tr>
<tr>
<td>Address</td>
<td>950 w. Tropicana ct</td>
</tr>
<tr>
<td></td>
<td>Kissimmee, FL 34741</td>
</tr>
<tr>
<td>Phone</td>
<td>727-270-5801</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:Kyle.Milwee@gmail.com">Kyle.Milwee@gmail.com</a></td>
</tr>
<tr>
<td>Speaking</td>
<td>For</td>
</tr>
<tr>
<td>Waive Speaking</td>
<td>Against</td>
</tr>
<tr>
<td>Representing</td>
<td>Kyle Milwee</td>
</tr>
<tr>
<td>Appearing at request of Chair</td>
<td>Yes</td>
</tr>
<tr>
<td>Lobbyist registered with Legislature</td>
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</tbody>
</table>

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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)

Meeting Date: 1-27-20

Bill Number (if applicable): SR 774

Topic: Executive Search

Name: Mark Viggiano

Job Title: Union Plumber

Address: 5529 5th Ave. N

Street: St Petersburrk

City: FL

State: 33710

Phone: 727-641-1511

Email: mviggiano1@me.com

Speaking: ☑ Against

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

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<tr>
<td>Name</td>
<td>Darwin Madrid</td>
</tr>
<tr>
<td>Job Title</td>
<td>HE 2</td>
</tr>
<tr>
<td>Address</td>
<td>3275 E 155th St</td>
</tr>
<tr>
<td>City</td>
<td>Summerfield</td>
</tr>
<tr>
<td>State</td>
<td>FL</td>
</tr>
<tr>
<td>Zip</td>
<td>34491</td>
</tr>
<tr>
<td>Phone</td>
<td>352-572-6642</td>
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<td>Representing</td>
<td>Darwin Madrid</td>
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<td>Lobbyist registered with Legislature</td>
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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)

<table>
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<th>SB 774</th>
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<th>Topic</th>
<th>SB 774 POSTSECONDARY ED. EXECUTIVE SEARCH</th>
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<table>
<thead>
<tr>
<th>Name</th>
<th>JASON STOUTH</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Job Title</th>
<th>County Employme (Orange County)</th>
</tr>
</thead>
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<table>
<thead>
<tr>
<th>Address</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985 Rode Circle</td>
<td>407-760-3326</td>
<td>Husband of Lynn J宝玉</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Speaking:</th>
<th>For</th>
<th>Against</th>
<th>Information</th>
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<tr>
<th>Waive Speaking:</th>
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<tr>
<th>Representing</th>
<th>Self</th>
<th>JASON STOUTH</th>
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<table>
<thead>
<tr>
<th>Appearing at request of Chair:</th>
<th>Yes</th>
<th>No</th>
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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

Meeting Date

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

77  Topic

77*  -du-

ten

Bill Number (if applicable)

Amendment Barcode (if applicable)

Name

Job Title

Address

Street

City

State

Zip

Phone

Email

In Support

Against

WVare Speaking:

For

Against

Information

For

Against

Information

Representing

Appearing at Request of Chair:

Yes

No

Lobbyist Registered with Legislature:

Yes

No

Appearing at request of Chair: Yes No

Representing

(name)

(Signature)

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: 1/27/2020

Bill Number (if applicable): 774

Topic: Postsecondary Ed Ex. Search

Name: Silvia Gonzalez

Job Title: Driver

Address: Street

Phone: (407) 793-1424

Email: 

City: State: Zip: 

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 [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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<td>1/27/2020</td>
<td>Bill Number (if applicable)</td>
</tr>
<tr>
<td>Topic</td>
<td>Post Secondary Executive Search</td>
</tr>
<tr>
<td>Name</td>
<td>Madonna Higgs</td>
</tr>
<tr>
<td>Job Title</td>
<td>Educator</td>
</tr>
<tr>
<td>Address</td>
<td>1413 Sunnyhills Drive</td>
</tr>
<tr>
<td>City</td>
<td>Brandon</td>
</tr>
<tr>
<td>State</td>
<td>FL</td>
</tr>
<tr>
<td>Zip</td>
<td>33510</td>
</tr>
<tr>
<td>Phone</td>
<td>(813) 787-5836</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:moadteach@yahoo.com">moadteach@yahoo.com</a></td>
</tr>
<tr>
<td>Speaking</td>
<td>In Support [ ] Against [x]</td>
</tr>
<tr>
<td>Representing</td>
<td>Self</td>
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<tr>
<td>Appearing at request of Chair</td>
<td>Yes [ ] No [x]</td>
</tr>
<tr>
<td>Lobbyist registered with Legislature</td>
<td>Yes [ ] No</td>
</tr>
</tbody>
</table>

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*This form is part of the public record for this meeting.*
1/27/20

Meeting Date

Topic Post Secondary Education Executive Search

Name N. Sabrina Gates

Job Title Educator

Address 19051 Bayette Rd.
City Lithia

Phone __________________________ Email Sabrina.gates@cteched.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

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

Meeting Date 1/27/2020

Bill Number (if applicable) SB 774

Topic Post Secondary Ed. Executive Search

Amendment Barcode (if applicable)

Name Paula Ruffin-Jefferson

Job Title Teacher

Address 5817 Autumn Shire Drive

Phone 813-317-1890

Street Zephyrhills FL 33541

Email

City State Zip

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

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

Meeting Date: 1/27/2020

Bill Number (if applicable): SB 774

Topic: Post Secondary Ed. Exec. Search

Name: Fred Bais

Job Title: Training Director, IAIAE Local 835

Address: 1115 Air Force Dr

City: Orlando

State: FL

Zip: 32810

Phone: 321-777-3486

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 [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.

S-001 (10/14/14)
Topic: Post secondary executive search

Name: Nancy Luna

Job Title: Training Coordinator

Address: 2934 Tanzanie Terrace, Kissimmee, FL 34758

Phone: 407-219-1787

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

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

S-001 (10/14/14)
Jan, 27, 2020  

Meeting Date

Post-Secondary Education Executive Search  

Topic

Elizabeth Brown Davis  

Name

Teacher  

Job Title

420 Tanana Falls Dr.  

Address

Ruskin, FL 33570  

City

State FL  

Phone

Email ebrowndavi@aol.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.
The Florida Senate

APPEARANCE RECORD

(Meeting Date)

Topic: Residential Searches

Name: Dr. Ana Ciereszko

Job Title: Legislative Director

Address: 11420 N. Kendall Drive

Phone: 305 321 0016

Email: a.ciereszko@yahoo.com

Speaking: ☑️ Against

Waive Speaking: □ In Support □ Against

Representing: United Faculty of Miami Dade College

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

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

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<td>1-27-20</td>
<td>SB 274</td>
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<td>Post Secondary Ed. Executive Search</td>
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<table>
<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Anthony Marciano</td>
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<table>
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<tr>
<th>Job Title</th>
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<tr>
<td>Sergeant Sheriff's Office</td>
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<table>
<thead>
<tr>
<th>Address</th>
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<tbody>
<tr>
<td>23370 Carolwood Lane</td>
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(The Chair will read this information into the record.)

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<td>MYSELF</td>
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<td>[ ] Yes</td>
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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 01-27-20

Topic Post Secondary Ed Executive Search

Name JoAnne Alvarez

Job Title 911 Operator Broward S.O.

Address 1037 NW 81 Terrace, Plantation, FL 33322

Phone 954 629 9970

Email joanne3301@yahoo.com

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

Representing myself

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

SB 876 creates the Historically Black Colleges and Universities (HBCU) Matching Endowment Scholarship Program (program) to be administered by the Department of Education (DOE). The program provides funds to participating HBCUs to provide student scholarships.

The bill requires the Legislature to appropriate $2 million for deposit into the Student Financial Assistance Trust Fund for the program. In addition, the bill requires that, by June 30, 2021, each participating HBCU must contribute $500,000 in matching funds.

Additionally, the bill requires:
- The DOE to allocate interest accumulated in the trust fund equally to each participating HBCU, which must award scholarships based on a student’s unmet financial need.
- The State Board of Education to adopt rules to administer the program.

The bill takes effect July 1, 2020.

II. Present Situation:

The Higher Education Act of 1965, as amended, defines a historically black college and universities (HBCUs) as a: “historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary [of Education] to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation.”

---

Nationally, there are 107 HBCUs located in 20 States, the District of Columbia, and the U.S. Virgin Islands, serving more than 300,000 undergraduate, graduate, and professional students.

There are four HBCUs located in Florida:

- **Florida Agricultural and Mechanical University** (FAMU), which is a public university founded in 1887 and located in Tallahassee. FAMU is regionally accredited by Southern Association of Colleges and Schools (SACSCOC). FAMU’s fall 2018 enrollment was 9,583 students. Tuition and fees are $12,525.

- **Bethune-Cookman University** (B-CU), which is a private university founded in 1904 and located in Daytona Beach. B-CU is regionally accredited by the SACSCOC. B-CU’s fall 2019 enrollment was 2,901. Tuition and fees are $14,814.

- **Edward Waters College** (EWC), which is a private college established in 1866 and located in Jacksonville. EWC is regionally accredited by the SACSCOC. EWC’s fall 2018 enrollment was 968 students. Tuition and fees are $12,525.

---

2 The four Florida HBCUs qualify for the federal Strengthening HBCU Program, which provides grants to HBCUs to assist these institutions in establishing and strengthening their physical plants, academic resources and student services so that they may continue to participate in fulfilling the goal of equality of educational opportunity. 34 C.F.R. s. 608.2.


5 Florida Agricultural and Mechanical University, History of Florida Agricultural and Mechanical University (FAMU), http://www.famu.edu/index.cfm?AboutFAMU&History (last visited Jan. 18, 2020).

6 Florida Agricultural and Mechanical University, Florida A&M University Southern Association of Colleges and Schools Commission on Colleges (FAMU SACSCOC) Office http://www.famu.edu/index.cfm?sacs (last visited Jan. 18, 2020). The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) is the regional body for the accreditation of degree-granting higher education institutions in the Southern states that award associate, baccalaureate, master's, or doctoral degrees, to include Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia. Southern Association of Colleges and Schools (SACS), SACCS Commission on Colleges, http://www.sacscoc.org/ (last visited Jan. 18, 2020).


10 Id.


12 Id.


Florida Memorial University (FMU), which is a private university founded in 1879 and located in Miami Gardens. FMU is regionally accredited by the SACSCOC. FMU’s fall 2018 enrollment was 1,189. Tuition and fees are $16,236.

Research comparing undergraduate students at HBCUs compared to non-HBCU peers at four-year public, private, and nonprofit institutions indicates that:

- A higher percentage of students attending HBCUs use federal loans to finance college compared to their non-HBCU peers.
- HBCU graduates borrow substantially greater amounts of federal loans than their non-HBCU peers.
- The percentage of HBCU graduates who borrow large amounts ($40,000 or more) of federal loans to finance their degrees is four times that of non-HBCU graduates.

III. Effect of Proposed Changes:

SB 876 creates the Historically Black Colleges and Universities (HBCU) Matching Endowment Scholarship Program (program) to be administered by the Department of Education (DOE). The program provides funds to participating HBCUs to provide student scholarships.

The bill requires the Legislature to appropriate $2 million to be transferred to the State Student Financial Assistance Trust Fund (trust fund) for the program. The bill also requires:

- No later than June 30, 2021, an HBCU that intends to participate in the program to contribute $500,000 in matching funds to the DOE for deposit into the trust fund.
- All funds transferred to the trust fund be invested in accordance with the law. Appropriated and matching funds remain in the trust fund, and only the interest from such funds be used for scholarships for students at participating HBCUs.

17 Florida Memorial University, FMU History, https://www.fmuniv.edu/history/ (last visited Jan. 18, 2020).
18 Florida Memorial University, About the Lion Legacy, https://www.fmuniv.edu/about/ (last visited Jan. 2020).
22 The State Student Financial Assistance Trust Fund is administered by the DOE. Funds are credited to the trust fund as provided in the General Appropriations Act (GAA) or similar legislation, to be used for the purposes specified in the GAA or legislation. The DOE is authorized to transfer into the trust fund general revenue, private donations for the purpose of matching state funds, and federal receipts for scholarships and grant programs. Any balance in the trust fund at the end of any fiscal year remains in the trust fund to carry out the purposes of the trust fund. Section 1010.73, F.S.
23 Chapter 215, F.S.
24 Current law requires that that the undisbursed release balance of any authorized appropriation, except an appropriation for fixed capital outlay, for any given fiscal year, which remains undisbursed on June 30 may be carried forward, but on September 30 must revert to the fund from which appropriated and must be available for reappropriation by the Legislature. Section 216.301(1)(b), F.S. The bill, in comparison, requires that such funds remain in the trust fund, which supersedes the reversion requirement. Section 216.351, F.S.
The DOE to allocate the interest accumulated in the trust fund equally to each participating HBCU, which must award scholarships to enrolled students with unmet financial need.

The bill also requires the State Board of Education to adopt rules to administer the program.

The program appears to be consistent with a recent federal initiative.\textsuperscript{25} The White House Initiative on Historically Black Colleges and Universities (initiative) specifies that the initiative will work with federal agencies, private-sector employers, educational associations, philanthropic organizations, and other partners to increase the capacity of HBCUs to provide the highest-quality education to an increasing number of students.\textsuperscript{26}

The creation of the HBCU Matching Endowment Scholarship Program may provide additional financial aid for students enrolled at the HBCUs participating in the program, may help to increase enrollment in Florida HBCUs, and may assist with improving performance outcomes for such students.

The bill takes effect July 1, 2020.

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.


\textsuperscript{26} Id. at 1.
B. **Private Sector Impact:**

SB 876 provides for scholarships for students to attend historically black colleges and universities (HBCU). Such scholarships may reduce student costs to attend such colleges. Each HBCU must contribute $500,000 in matching funds.

C. **Government Sector Impact:**

The bill requires the Legislature to appropriate $2 million to transfer into the State Student Financial Assistance Trust Fund.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill creates section 1009.895 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.)

None.

B. **Amendments:**

None.
A bill to be entitled
An act relating to the Historically Black Colleges and
Universities Matching Endowment Scholarship Program;
creating s. 1009.895, F.S.; establishing the
Historically Black Colleges and Universities Matching
Endowment Scholarship Program within the Department of
Education; providing the purpose of the program;
providing for an appropriation; requiring a
historically black college or university to provide a
certain amount of matching funds by a specified date
to participate in the program; requiring certain funds
to remain in the trust fund; providing that the
interest will be used to provide scholarships to
certain students; providing for annual disbursement of
the interest; requiring the State Board of Education
to adopt rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1009.895, Florida Statutes, is created
to read:

1009.895 Historically Black Colleges and Universities
Matching Endowment Scholarship Program.—

(1) There is established the Historically Black Colleges
and Universities Matching Endowment Scholarship Program to be
administered by the Department of Education. The program shall
provide funds to participating historically black colleges and
universities in this state to provide scholarships to students
enrolled at these schools.

(2) The Legislature shall appropriate $2 million to be
transferred to the State Student Financial Assistance Trust Fund
for the program. No later than June 30, 2021, each historically
black college and university in this state which wishes to
participate in the program shall provide $500,000 in matching
funds to the department. The department shall deposit such
matching funds into the trust fund. All funds transferred to the
trust fund for the program shall be invested in accordance with
the provisions of chapter 215. Notwithstanding the provisions of
s. 216.301 and pursuant to s. 216.351, the appropriated funds
and all matching funds shall remain in the trust fund and the
interest from such funds shall be used for scholarships for
students enrolled at participating colleges and universities.

(3) Annually, the interest accumulated in the trust fund
for the program shall be equally allocated by the department to
each participating college and university to award scholarships.
Each participating college and university shall award
scholarships to enrolled students with unmet financial need.

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

Section 2. 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: 1/27/2020
Bill Number (if applicable): S.B. 576

Topic: Historically Black Colleges and University

Name: Khantisea Banks

Job Title: Resolutions Chair

Address: 1747 Orlando Central Parkway, Orlando, FL 32809

Phone: (407) 855-7604
Email: resolutions@floridapta.org

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.

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

S-001 (10/14/14)
I. Summary:

SB 946 requires a moment of silence to be set aside for students during each school day. The bill directs the principal of each public school to require teachers in first-period classrooms in all grades to set aside one to two minutes daily for a moment of silence, during which students may not interfere with other students’ participation.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2020.

II. Present Situation:

District school boards may set aside up to two minutes for silent prayer or meditation at the start of each school day or each school week in the public schools in the district.¹

Fifteen states require a moment of silence or a period for contemplation or prayer during each school day. An additional eighteen states authorize the school district, school, or classroom to observe a period of silence or prayer during each school day.²

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¹ Section 1003.45, F.S., added in s. 1, ch. 80-336, L.O.F.
² AL s. 16-1-20; AZ s. 15-342; AK s. 6-10-115; CT s. 10-16a; DE 14 s. 4101a; FL s. 1003.45, F.S.; GA s. 20-2-1050; IL 105 s. 20/1; IN s. 20-30-5-45; KS s. 72-9929; KY s. 158.175; LA s. 17:2115; MD s. 7-104; MA 71 s. 1A; ME 20 s. 4805; MI s. 380.1565; MN s. 121A.10; MS s. 37-13-4; MT s. 20-7-112; NV s. 388.075; NH s. 189:1-b; NM s. 309-22-7-3; NY s. 309-a; NC s. 115C-47; ND s. 15.1-19-03.1; OH s. 3313.601; OK 70 s. 11-101.1; PA s. 15-1516.1; RI s. 16-12-3.1; SC s. 59-1-443; TN s. 49-6-1004; TX s. 25.082; UT s. 536-7-207; VA s. 22.1-203.
III. **Effect of Proposed Changes:**

SB 946 amends s. 1003.45, F.S., to require a moment of silence be set aside for students during each school day and state legislative findings for the value of a moment of daily reflection.

The bill directs the principal of each public school to require teachers in first-period classrooms in all grades to set aside one to two minutes daily for a moment of silence, during which students may not interfere with other students’ participation.

The bill provides that a teacher:
- May not make suggestions as to the nature of any reflection that a student may engage in during the moment of silence.
- Must encourage parents to discuss the moment of silence with their children and to make suggestions as to the best use of this time.

The bill takes effect July 1, 2020.

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:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.45 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.)

   None.

B. Amendments:

   None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
A bill to be entitled An act relating to moments of silence in public schools; amending s. 1003.45, F.S.; providing legislative findings; requiring that public school principals require teachers to set aside time for a moment of silence at the beginning of each school day; specifying the duration of the required moment of silence; prohibiting teachers from making suggestions as to the nature of any reflection that a student may engage in during the moment of silence; deleting a provision authorizing district school boards to provide a brief period of silent prayer or meditation; requiring certain teachers to encourage parents to discuss the moment of silence with their children and to make suggestions as to the best use of this time; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1003.45, Florida Statutes, is amended to read:

1003.45 Permitting study of the Bible and religion; requiring a moment of silence permitting brief meditation during the purpose of silence, during which students may not interfere with other students’ participation. A teacher may not make suggestions as to the nature of any reflection that a student may engage in during the moment of silence silent prayer or meditation be set aside at the start of each school day or each school week in the public schools in the district.

(3) The principal of each public school shall require teachers in first-period classrooms in all grades to set aside at least 1 minute, but district school board may provide that a brief period, not more than 2 minutes, daily for a moment the purpose of silence, during which students may not interfere with other students’ participation. A teacher may not make suggestions as to the nature of any reflection that a student may engage in during the moment of silence silent prayer or meditation be set aside at the start of each school day or each school week in the public schools in the district.

(4) Each such teacher shall encourage parents to discuss the moment of silence with their children and to make suggestions as to the best use of this time.

Section 2. This act shall take effect July 1, 2020.
Meeting Date: 1-27-19

Bill Number (if applicable): 946

Topic: moment of silence

Name: Rabbi Schneur Oirechman

Amendment Barcode (if applicable): 

Address: 224 Chapel Dr
St. Tallahassee, FL 32304

Phone: 850-251-0207
Email: 

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

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

Representing: CHABAD OF FLORIDA

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: JAN 27, 20

Bill Number (if applicable): SB 946

Topic: MOMENT OF SILENCE PUBLIC SCHOOLS

Name: BILL BUNKLEY

Job Title: PRESIDENT

Address: PO BOX 341644

Phone: 813 - 264 - 2977

Email:

Street:

City: TAMPA

State: FL

Zip: 33694

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☑ In Support ☐ Against

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

Representing:

FLORIDA ETHICS AND RELIGIOUS LIBERTY COMMISSION

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)
Meeting Date: 12-27-20

Topic: Moment of Silence

Name: Devon Graham
Job Title: Assistant State Director (American Atheists)
Address: 2624 Malin Dr., Tallahassee, FL 32309

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

Representing: American Atheists

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.
Meeting Date: 1-27-20

Topic: Silent Prayers in Schools

Name: Bulmar Delane

Job Title: Ms

Address: 625 E. Brevard St

City: Tallahassee

State: FL

Zip: 32308

Phone: 850-251-4282

Email: bulmardebean@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

Representing: FL NOW

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

(01/27/2020)

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<td>SB 946</td>
</tr>
<tr>
<td>Name</td>
<td>David Barkey</td>
</tr>
<tr>
<td>Job Title</td>
<td>Sr. &amp; Southeastern Counsel, ADL</td>
</tr>
<tr>
<td>Address</td>
<td>5295 Town Center Road, Ste. 300</td>
</tr>
<tr>
<td>Phone</td>
<td>561-988-2912</td>
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<tr>
<td>Email</td>
<td><a href="mailto:dbarkey@adl.org">dbarkey@adl.org</a></td>
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<td>Waive Speaking</td>
<td>Against</td>
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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)

Topic

Name

KEITH J. LAUGH

Job Title

MANAGING DIRECTOR

Address

1390 Quahog Dr

Phone

239-250-3520

Email

kaLaugh@com

Representing

Florida Citizens 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.

S-001 (10/14/14)
I. **Summary:**

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 repeals the pre- and post-assessment and statewide kindergarten screening and readiness rate requirements for VPK providers and replaces them with:

- 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 Council for Early Grade Success 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 bill also removes authority for each Early Learning Coalition (ELC) to adopt a payment schedule for providers and requires the Early Learning Programs Estimating Conference to adopt the payment schedules to be used statewide in each county.

The fiscal impact of the bill is discussed in 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)\textsuperscript{1} 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.\textsuperscript{2} 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.\textsuperscript{3}

**Department of Education**

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.\textsuperscript{4} The commissioner is appointed by the SBE and serves as the executive director of the DOE.\textsuperscript{5} The DOE includes the Office of Early Learning (OEL), which is administered by an executive director who is fully accountable to the commissioner.\textsuperscript{6}

**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\textsuperscript{7}—and an annual budget of $1.3 billion.\textsuperscript{8} The OEL is the lead agency in Florida for administering the federal Child Care and Development Block Grant Trust Fund (CCDF).\textsuperscript{9} The OEL adopts rules as required for the establishment and operation of the school readiness program and the VPK program.\textsuperscript{10} The executive director of the OEL is responsible for administering early learning programs at the state level.

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

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\textsuperscript{1} The State Board of Education is established as “a body corporate and have such supervision of the system of free public education as is provided by law.” Art. IX, s. 2, Fla. Const.
\textsuperscript{2} Section 1001.02, F.S.
\textsuperscript{3} Id.
\textsuperscript{4} Section 1001.20(1), F.S.
\textsuperscript{5} Section 20.15(2), F.S.
\textsuperscript{6} Section 20.15(3)(i), F.S.
\textsuperscript{7} Id.
\textsuperscript{8} Early Learning Services Program Total, s. 2, ch. 2019-115, L.O.F.
\textsuperscript{9} Section 1002.82(1), F.S.
\textsuperscript{10} 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.
\textsuperscript{11} Section 20.055(1), F.S.
measures, standards, and procedures employed by the OEL. 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.

**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. Each ELC is governed by a board of directors comprised of various stakeholders and community representatives. 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.

**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. In 2004, the State established a free VPK program offered to eligible four-year-old children. Parents may choose either a school-year or summer program offered by either a public or private school. $402.3 million was appropriated from General Revenue for the VPK program in the 2019 General Appropriations Act. During the 2017-2018 academic year, 6,378 VPK providers served 169,076 students enrolled in a VPK program.

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. A local ELC must coordinate with the local school district in the

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12 Section 20.055(1), F.S.
15 Section 1002.83(3), F.S.
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.
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.
19 Section 1002.53(3), F.S.
20 Specific Appropriation 89, s. 2, ch. 2019-115, L.O.F.
ELC’s service area to develop procedures for enrolling children in public school VPK programs.\(^{23}\)

The OEL adopts procedures governing the administration of the VPK program for ELCs and school districts, including procedures for: \(^{24}\)

- Enrolling children and documenting and certifying student enrollment and student attendance.
- Providing parents with profiles of VPK providers.
- Registering private prekindergarten providers and public schools to deliver the program.
- Determining the eligibility of private prekindergarten providers to deliver the program and streamlining the process of provider eligibility whenever possible.
- Verifying the compliance and removing VPK providers from eligibility to deliver the program due to noncompliance or misconduct.
- Placing schools on probation and requiring corrective actions.
- Paying VPK providers.
- Reconciling advance payments in accordance with the uniform attendance policy.
- Reenrolling students dismissed by a VPK provider for noncompliance with the VPK provider’s attendance policy.
- Approving improvement plans.
- Approving and paying specialized instructional services providers.

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.\(^{25}\)

**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 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: \(^{27}\)

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\(^{23}\) Section 1002.53(4), F.S.

\(^{24}\) Section 1002.75(2), F.S.

\(^{25}\) Section 1002.67(3), F.S.; see also s. 1002.66, F.S.

\(^{26}\) 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.
• 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. 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.

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.

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.

**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:

- 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.

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29 Sections 1002.55(3)(f) and 1002.63(7), F.S.
30 Section 1002.59(1), F.S.
31 Id.
32 Id.
33 Section 1002.59(2), F.S.
34 Section 1002.67, F.S.; Art. IX, s. 1(b), Fla. Const.
unless they are on probation as a result of their kindergarten readiness rates falling below the minimum rate.  

**Statewide Kindergarten Readiness Screening**  
The DOE has adopted a statewide kindergarten readiness screening, the Florida Kindergarten Readiness Screener (FLKRS), and requires each school district to administer the statewide kindergarten readiness screening within the first 30 days of each school year. 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.

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.” For the fall 2018 administration of FLKRS, 97,652 out of 185,252 kindergarten students, or 53 percent, were designated as “ready for kindergarten.”

**Kindergarten Readiness Rate**  
The OEL annually calculates a kindergarten readiness rate for each VPK provider based on results of the annual screening. The readiness rates are expressed as the percentage of children whose scores demonstrate readiness for kindergarten. The methodology for calculating the readiness rate must include student learning gains, when available, based on a VPK pre- and 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.

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35 Florida Department of Education, *Agency Legislative Bill Analysis for HB 1013* (2020); Section 1002.67, F.S.
37 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.
38 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.
40 Id.
42 Rule 6M-8.601(3)(b), F.A.C.
43 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.
44 Section 1002.69(5), F.S.; Rule 6A-1.09433(1)(b), F.A.C.
45 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.
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.\textsuperscript{46}

**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.\textsuperscript{47} Providers that do not meet the minimum readiness rate are placed on probation.\textsuperscript{48} An ELC or school district must require a VPK provider that falls below the minimum kindergarten readiness rate to:\textsuperscript{49}

- Submit for approval and implement an improvement plan;
- Place the provider 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.\textsuperscript{50}

**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.\textsuperscript{51} A VPK provider must submit a request for a good cause exemption to OEL for review and approval. The request must include:\textsuperscript{52}

- 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.

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.\textsuperscript{53} 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.\textsuperscript{54}


\textsuperscript{47} Rule 6M-8.601(3)(b), F.A.C.

\textsuperscript{48} Section 1002.67(4), F.S.

\textsuperscript{49} Section 1002.67(4)(c)1., F.S.

\textsuperscript{50} Email, Office of Early Learning (Mar. 29, 2019).

\textsuperscript{51} Section 1002.67(4)(c)3., F.S.

\textsuperscript{52} Section 1002.69(7)(b)-(c), F.S.

\textsuperscript{53} Sections 1002.69(7)(e) and 1002.67(3)(c)2., F.S.

\textsuperscript{54} Section 1002.69(7), F.S.
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.55 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.56

**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.57 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.58 To participate in the school readiness program, a provider must execute a school readiness contract.59 During the 2017-2018 academic year, 7,668 school readiness providers served 201,474 children enrolled in a school readiness program.60

**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.61 The OEL budgeted $6 million for the administration of the program assessment for the 2018-2019 fiscal year.62 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.63 In the 2017-2018 academic year, 11, or 0.3 percent, of providers failed to attain the minimum program assessment composite score required for contracting.64

The OEL has adopted a differential payment program based on quality measures of school readiness providers.65 The differential payment may not exceed a total of 15 percent for each

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55 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.
56 Section 1002.67(4)(b), F.S.
57 Section 1002.87, F.S.
58 Section 1002.86, F.S.
61 Section 1002.82(2)(n), F.S.
63 Rule 6M-4.741, F.A.C.
64 Florida Department of Education, School Readiness Funding Model Allocation Methodology (Oct. 1, 2019) (On file with staff of the Education Committee).
65 Rule 6M04.500, F.A.C.
care level and unit of child care for a child care provider.\textsuperscript{66} 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{67}

**School Readiness Funding**

Funding for the school readiness program is allocated among the ELCs according to law and the General Appropriations Act.\textsuperscript{68} The school readiness program is funded primarily by the CCDF block grant.\textsuperscript{69} 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{70}

For Fiscal Year 2019-2020, a total of $760.8 million was appropriated for the school readiness program from state and federal funds.\textsuperscript{71}

**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{72}

- 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.

The market rate schedule must also differentiate rate by the type of child care services provided, including services provided for:\textsuperscript{73}

- Children with special needs or risk categories.
- Infants, toddlers, preschool-age children, and school-age children.
- Full-time and part-time child care.

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\textsuperscript{66} Section 1002.82(2)(o), F.S.
\textsuperscript{67} Id.
\textsuperscript{68} Section 1002.89(1), F.S.
\textsuperscript{70} Section 1002.89(5), F.S.
\textsuperscript{71} Specific Appropriation 86, s. 2, ch. 2019-115, L.O.F.
\textsuperscript{72} Section 1002.895, F.S.
\textsuperscript{73} Section 1002.895, F.S.
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. 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.

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. The 75th percentile rate for the same services was $225. 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.

**Early Learning Programs Estimating Conference**

The Early Learning Programs Estimating Conference is required to develop estimates and forecasts of the unduplicated count of children eligible for the school readiness program and the VPK program. The OEL is required to provide information as requested by the Early Learning Programs Estimating Conference in a timely manner.

**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. A school readiness child care slot is the number of school readiness paid child care slots filled during a month of service. 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.

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74 Rule 6M-4.500, F.A.C.
75 Section 1002.895, F.S.
77 Id.
78 Id.
79 Section 1002.87, F.S.
80 Section 216.136, F.S.
81 Section 216.136, F.S.
82 Section 1002.82(2)(m), F.S.
83 Rule 6M-4.740, F.A.C.
84 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.  

**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.  

The DCF also adopts rules to administer the GSQC Program. A GSQC designation entitles a school readiness provider to a rate differential at 20 percent above the ELC’s approved reimbursement rate. 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.  

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. A licensed or legally exempt child care facility that achieves GSQC status is an educational institution exempt from ad valorem tax.  

Currently, 1,852 child care facilities, large family child care homes, and family day care homes possess a GSQC designation.  

**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:  

- 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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85 Rule 6M-4.500, F.A.C.  
86 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.  
87 Section 402.281, F.S.  
88 Rule 6M-4.500, F.A.C.  
89 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.  
90 Section 212.08, F.S.  
91 Section 402.26, F.S.  
93 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.⁹⁴

III. Effect of Proposed Changes:

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 repeals the pre- and post-assessment and statewide kindergarten screening and readiness rate requirements for VPK providers and replaces them with:

• 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 Council for Early Grade Success 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.

⁹⁴ 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. The bill also removes authority for each Early Learning Coalition (ELC) to adopt a payment schedule for providers and requires the Early Learning Programs Estimating Conference to adopt the payment schedules to be used statewide in each county.

The fiscal impact of the bill is discussed in section V.

The bill takes effect July 1, 2020.

**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. The bill makes conforming changes throughout Florida law and re-designates:

- 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 brings ELCs under SBE oversight authority. The bill also modifies the membership requirements of ELCs. Specifically, the bill:

- Reduces the number of authorized ELCs in the state to reflect the current total of 30.
- Removes the requirement that ELCs appoint a central agency administrator, where applicable.
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 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 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.  
- 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.
- The completion by a prekindergarten instructor of a student performance standards training course is not required until July 1, 2021, and the bill requires the course to be 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.
- 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.

95 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.
- 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. The bill repeals the minimum kindergarten readiness rate and the VPK pre- and post-assessment.

Beginning in the 2021-2022 academic year, the bill requires all VPK and public school 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 be referred to the local school district for 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.

Council for Early Grade Success

The bill creates the Council for Early Grades Success (Council) and requires the commissioner to coordinate with the Council to develop a plan for implementation of the CSPM in consideration of the timeline required for completion of the review of the Next Generation Sunshine State Standards and the VPK program standards. The bill requires the commissioner to provide data, reports, and information as requested to the Council. The bill also provides that the Council be composed of 15 members, who must all be residents of the state, and include:
• Two members appointed by the Governor, to include:
  o One representative from the DOE.
  o One parent of a child who is four to nine years of age.
• Thirteen members appointed jointly by the President of the Senate and the Speaker of the House, 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
A school principal

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 council’s recommendations.

The bill requires the Council 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 Council to meet at least bi-annually 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:
  - Methodology for calculating the performance metric and grading system for VPK providers.
  - Methodology for determining kindergarten readiness.
  - Age-appropriate learning gains by grade level required to demonstrate proficiency by grade 3.

**Performance Metric**

The bill requires the DOE to adopt a performance metric to measure the effectiveness of a VPK provider. The bill repeals the minimum kindergarten readiness rate and the pre- and post-assessment. For the 2019-2020 academic year, the DOE must calculate the performance metric 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 2020-2021 academic year. The performance metric must include:

- Program assessment scores weighted at approximately 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 2021-2022 program year; however, the pre-and post-assessment are not authorized for 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.  

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The methodology must also include a statistical latent profile analysis that is conducted by a contracted 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 grades "A" through "F".
- Confer with the DOE and the Council in the development of the methodology.
- 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 grade 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. 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 grade of "C" 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 requires the DOE to adopt a minimum performance metric or grade that would demonstrate satisfactory delivery of the VPK program. Beginning in the 2020-2021 academic year, if a VPK provider fails to meet the minimum performance metric or grade, the bill requires the applicable ELC or school district to place the VPK provider on probation and requires the VPK provider to:

- 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 behavioral 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 contracted expert.
- 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 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 or school district if an exemption is granted to a VPK provider that remains on probation for 2 consecutive years.

The bill requires each ELC or school district, as applicable, to verify VPK provider compliance with the statutory requirements for delivering the VPK. The DOE must require each applicable ELC or school district to suspend a provider who refuses to comply with VPK requirements or commits misconduct. The ELC or school district 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.

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97 Class I and Class II violations are defined in s. 402.281(4), F.S.
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.

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.
- 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:

- In the custody of a homeless parent.
- In court-ordered, long-term custody or under the guardianship of a relative or nonrelative after termination of supervision by the DCF.
- 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.

Early Learning Estimating Conference

The bill removes the authority for ELCs to adopt payment schedules for providers and provides additional duties for the Early Learning Programs Estimating Conference related to the payment schedule and market rate for school readiness providers. Specifically, the bill requires the estimating conference to meet biannually to review:

- The data and procedures used by the DOE in the adoption of the market rate schedule.
- Base payment rates and the application of legislatively approved differentials.
- Reasonable access to quality early learning settings in each county.
- All data sources and calculations used to determine funding recommendations by county for the school readiness program and the VPK program before submission of any legislative budget request.
- Consider the market rate schedule in the adoption of a payment schedule.

Gold Seal Quality Care Program

The bill repeals the law providing for a GSQC Program within the DCF. The bill reestablishes the program within 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 a recognized accrediting association. 98
- Meets or exceeds SBE standards. 99

98 This is an existing statutory requirement of the DCF GSQC Program.
99 This is an existing statutory requirement of the DCF GSQC Program.
• Is a registered corporation with the Department of State.
• Demonstrates 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 an audit and filing of an annual report with the DOE;
  o Renewal requiring onsite verification at least every three 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 comply with 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 from exceeding standards expressly set forth in law and further provides that any licensing standards adopted by the DCF on or after July 1, 2020, 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 adds an exemption from sales, rental, use, consumption, distribution, and storage tax for the purchase of educational curricula by a GSQC designee, which is in addition to existing exemptions for the purchase of certain other educational supplies.

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. The bill authorizes the Early Learning Estimating Conference to determine a rate differential of between 20 to 40 percent for school readiness program providers that maintain group size and teacher-to-child ratios in accordance with standards set by their accrediting associations.

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:

The bill adds an exemption from sales, rental, use, consumption, distribution, and storage tax for the purchase of educational curricula by a Gold Seal Quality Care designee, which is in addition to existing exemptions for the purchase of certain other educational supplies. The revenue estimating conference has not estimated the fiscal impact of the bill, but the additional exemption is expected to have a negative fiscal impact.

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:100

- $6.8 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.

100 Florida Department of Education, Agency Legislative Bill Analysis for HB 1013 (2020).
VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends ss. 20.055, 20.15, 39.202, 39.604, 212.08, 216.136, 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, 1000.21, 1001.02, 1001.03, 1001.10, 1001.11, 1001.213, 1001.215, 1001.23, 1001.70, 1002.32, 1002.34, 1002.36, 1002.53, 1002.55, 1002.57, 1002.59, 1002.61, 1002.63, 1002.67, 1002.68, 1002.69, 1002.71, 1002.72, 1002.73, 1002.75, 1002.77, 1002.79, 1002.81, 1002.82, 1002.83, 1002.84, 1002.85, 1002.88, 1002.89, 1002.895, 1002.91, 1002.92, 1002.93, 1002.94, 1002.945, 1002.95, 1002.96, 1002.97, 1002.995, 1003.575, 1007.01, 1008.2125, 1008.25, 1008.31, 1008.32, 1008.33, 1011.62, and 1002.22, 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.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
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. 39.202 and 39.604, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 212.08, F.S.; providing that certain curricula are exempt from specified taxes; amending s. 216.136, F.S.; revising the duties of the Early Learning Programs Estimating Conference; requiring the department, rather than the Office of Early Learning, to provide specified information to the conference; amending ss. 383.14, 391.308, and 402.26, F.S.; conforming provisions and cross-references to changes made by the act; repealing s. 402.281, F.S., relating to the Gold Seal Quality Care program; amending s. 402.305, F.S.; providing requirements for minimum child care licensing standards; requiring standards adopted after a specified date 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; 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 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, 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 eligibility 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

coalitions; amending s. 1002.83, F.S.; authorizing up
to 30 early learning coalitions rather than 31;
amending s. 1002.84, F.S.; revising early learning
coaition powers and duties; revising requirements for
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 ss.
1001.62, 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—

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Section 5. Paragraph (m) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

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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, 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:

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Screening for metabolic disorders, other hereditary conditions, 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

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

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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 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 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

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492 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, be present at all times that children are present.
Five members who represent children and youth advocacy and the service delivery system; A range of media should be distributed to parents, health care providers, and caregivers of children from birth through age 9. A variety of media should be used 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 to educate them about the precursors of learning problems and other developmental delays.
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,
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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 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.
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(e) A system that provides for local operational flexibility while promoting accountability for student...
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 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 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.
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 education system.— Florida’s Early Learning 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 district school boards; and lab schools operated under the control of district school boards.

(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 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 education system.

Section 21. Section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning 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 system.
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.
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... 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.
(l) The Florida Polytechnic University.

(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.

Section 22. Subsection (1) and paragraphs (e) and (s) of subsection (2) of section 1001.02, Florida Statutes, are amended to read:

1001.02 General powers of State Board of Education.—

(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 (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 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:

... (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 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 29. Subsection (3) of section 1001.70, Florida Statutes, is amended to read:

... (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 Department of Education.
Section 31. Paragraph (b) of subsection (10) of section 1002.34, Florida Statutes, is amended to read:

"(10) EXEMPTION FROM STATUTES.—

(a) A center must comply with the Florida Early Learning-20 Education Code with respect to providing services to students with disabilities.

(b) The Florida School for the Deaf and the Blind.

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 copy of the child’s birth certificate.

(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 as calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening 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: 

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

(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, at a minimum, the following:

- A list of the child’s progress and development, including the child’s individualized learning plan;
- The child’s current learning level, appropriate for the child’s age, as determined by the provider or school;
- The child’s needs for educational and related services, including any special education services the child requires;
- The child’s eligibility for the prekindergarten program; and
- The provider’s or school’s kindergarten readiness rate as calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening program under s. 1008.2125.

The provider or school must submit the application to the department Office of Early Learning within 30 days of the child’s enrollment. The department Office of Early Learning shall review the application and determine whether the child meets the eligibility requirements. If the child meets the eligibility requirements, the department Office of Early Learning shall notify the provider or school and the parent of the child’s eligibility for the prekindergarten program.

(c) The school district or other entity delivering the prekindergarten program must ensure that the child receives the educational and related services necessary for the child’s success in kindergarten. The educational and related services must include:

- Early childhood education services, including instruction in language, reading, writing, mathematics, and science;
- Special education services, if required by the child;
- Social services, including counseling and mental health services;
- Health services, including medical assistance and special health care services;
- Parent involvement activities, including parent-teacher conferences and family engagement activities;
- Community services, including transportation services for students who reside outside the district’s boundaries;
- School district or other entity policies and procedures related to the delivery of educational and related services; and
- A process for monitoring the child’s progress and development, including an assessment of the child’s progress and development at least once every three months.

(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 monitoring program under s. 1008.2125.

(e) The provider’s or school’s services, curriculum, instructor credentials, and instructor-to-student ratio; and

(f) The provider’s or school’s kindergarten readiness rate as calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening program under s. 1008.2125.

Section 33. 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.—

(a) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the following requirements:

(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, at a minimum, the following:

- A list of the child’s progress and development, including the child’s individualized learning plan;
- The child’s current learning level, appropriate for the child’s age, as determined by the provider or school;
- The child’s needs for educational and related services, including any special education services the child requires;
- The child’s eligibility for the prekindergarten program; and
- The provider’s or school’s kindergarten readiness rate as calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening program under s. 1008.2125.

The provider or school must submit the application to the department Office of Early Learning within 30 days of the child’s enrollment. The department Office of Early Learning shall review the application and determine whether the child meets the eligibility requirements. If the child meets the eligibility requirements, the department Office of Early Learning shall notify the provider or school and the parent of the child’s eligibility for the prekindergarten program.

(c) The school district or other entity delivering the prekindergarten program must ensure that the child receives the educational and related services necessary for the child’s success in kindergarten. The educational and related services must include:

- Early childhood education services, including instruction in language, reading, writing, mathematics, and science;
- Special education services, if required by the child;
- Social services, including counseling and mental health services;
- Health services, including medical assistance and special health care services;
- Parent involvement activities, including parent-teacher conferences and family engagement activities;
- Community services, including transportation services for students who reside outside the district’s boundaries;
- School district or other entity policies and procedures related to the delivery of educational and related services; and
- A process for monitoring the child’s progress and development, including an assessment of the child’s progress and development at least once every three months.

(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 monitoring program under s. 1008.2125.

(e) The provider’s or school’s services, curriculum, instructor credentials, and instructor-to-student ratio; and

(f) The provider’s or school’s kindergarten readiness rate as calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening program under s. 1008.2125.

Section 32. Paragraphs (a), (b), (g), (h), (i), 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

(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, at a minimum, the following:

- A list of the child’s progress and development, including the child’s individualized learning plan;
- The child’s current learning level, appropriate for the child’s age, as determined by the provider or school;
- The child’s needs for educational and related services, including any special education services the child requires;
- The child’s eligibility for the prekindergarten program; and
- The provider’s or school’s kindergarten readiness rate as calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening program under s. 1008.2125.

The provider or school must submit the application to the department Office of Early Learning within 30 days of the child’s enrollment. The department Office of Early Learning shall review the application and determine whether the child meets the eligibility requirements. If the child meets the eligibility requirements, the department Office of Early Learning shall notify the provider or school and the parent of the child’s eligibility for the prekindergarten program.

(c) The school district or other entity delivering the prekindergarten program must ensure that the child receives the educational and related services necessary for the child’s success in kindergarten. The educational and related services must include:

- Early childhood education services, including instruction in language, reading, writing, mathematics, and science;
- Special education services, if required by the child;
- Social services, including counseling and mental health services;
- Health services, including medical assistance and special health care services;
- Parent involvement activities, including parent-teacher conferences and family engagement activities;
- Community services, including transportation services for students who reside outside the district’s boundaries;
- School district or other entity policies and procedures related to the delivery of educational and related services; and
- A process for monitoring the child’s progress and development, including an assessment of the child’s progress and development at least once every three months.

(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 monitoring program under s. 1008.2125.

(e) The provider’s or school’s services, curriculum, instructor credentials, and instructor-to-student ratio; and

(f) The provider’s or school’s kindergarten readiness rate as calculated in accordance with s. 1002.69, based upon the most recent available results of the statewide kindergarten screening program under s. 1008.2125.
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The private prekindergarten provider must execute the statewide provider contract prescribed under s. 1002.73, except that an individual who owns or operates multiple private prekindergarten providers within a coalition’s service area may execute a single agreement with the coalition on behalf of each 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 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 (k), for a child development program operating on a military installation that is certified by the United States...
(b) 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 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 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 office, 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 development, and at least 480 hours of experience in teaching or providing child care services for children any age from birth through 6 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)
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), 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

(a) 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.

(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 recognition organization shall be certified to provide emergent literacy training course approved under this section.

(d) Program administration and operations, including management, organizational leadership, and financial and legal issues.

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 subsections (6) and (8) of that section are amended, to read:

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

(1) Each prekindergarten education program that is delivered by a public school or private prekindergarten provider is administered by an early learning coalition designated by the department that shall:

(a) ensure that each prekindergarten program delivered by a public school district or private prekindergarten provider provides instruction in emergent literacy defined in subsection (6) for prekindergarten students.

(b) contain a systemic process for assessing and promoting prekindergarten program performance in emergent literacy and language development.

(c) ensure that each prekindergarten program delivered by a public school district or private prekindergarten provider:

1. ensures that each child in attaining the performance standards adopted by the department

2. is designed to support the appropriate progress of prekindergarten students.

3. provides instruction in emergent literacy strategies and techniques to address age-appropriate progress of each child in attaining the standards, and be available online.

(d) 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.
(3) (b) Each public school delivering the summer prekindergarten program must execute the statewide provider contract prescribed under s. 1002.73(1)(b), 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 operating on a military installation that is certified by the United States Department of Defense and accredited by a national accrediting body shall comply with the requirements of a private prekindergarten provider in this section.

(7) A public school or private prekindergarten provider in this section.

(8) The Florida Department of Education shall verify that each district school board complies with this part. Each district school board shall verify that each public school delivering the Voluntary Prekindergarten Education Program in accordance with this part.

(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 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 department shall require the early learning coalition to remove the provider or require the

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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.—

(3) 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 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.

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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 provide for instruction in early math skills;

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 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.

(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 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) 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.

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...
(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

(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.

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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.

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 school’s 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.

The methodology 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 school’s 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.

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.
school's program performance metric or grade falls below the
minimum program performance metric or grade, 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
deptartment. 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
district 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 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
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1886 (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 program performance metric.

1887 (f) If a good cause exemption is granted to a private prekindergarten provider or public school that remains on probation for 2 consecutive years, the department shall notify the early learning coalition or school district of the good cause exemption and direct that the coalition or school district not remove the provider from eligibility to deliver the Voluntary Prekindergarten Education Program or to receive state funds for the program if the provider meets all other applicable requirements of this part.

1888 (g) The department shall report the number of Voluntary Prekindergarten Education Program 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(5).

1889 (7) Representatives from the school districts and early learning coalitions must meet annually to develop strategies to transition students from the Voluntary Prekindergarten Education Program to kindergarten.

1890 Section 41. Section 1002.69, Florida Statutes, is repealed.

1891 Section 42. 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:

1892 1002.71 Funding; financial and attendance reporting.—
(3) 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 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 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.

Administrative
accountability requirements of 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.

(1) Approving Approval of specialized instructional services providers under s. 1002.66.

(2) 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 (1002.69(7)).

(6) 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).

(12) "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; 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 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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(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

(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.
      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.
   (j) Monitor the alignment and consistency of the Develop 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.

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. 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.

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(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 adopt by rule 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 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 department. 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)(s).

   (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
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 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.
(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.
(ii) Establish eligibility criteria, including
limitations based on income and family assets, in accordance
with s. 1002.87 and federal law.
(iii) 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

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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 meet the same qualifications as 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 each member may serve as a voting member:

(a) A central agency administrator, where applicable.

(b) Including the Members appointed by the Governor under

(5) Including the Members 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.

(11) 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.

(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
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2020.84, 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)(u).
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
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, 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 and 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.

(16) (17) (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.

(17) 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...
coalition, a quorum having been established; all contracts 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 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 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 before the expenditure of funds. A coalition may not implement its school readiness program plan until it receives approval from the department. 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 description of the coalition’s quality activities and services, including, but not limited to:

1002.88 are met using a standard monitoring tool adopted by the department office. Providers determined to be

. 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
pursuant to 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 office 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 office 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
United States Department of Defense Instructions 6060.2 and
pursuant to s. 1402.05 satisfy 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 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.

(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 policy, the
The department office and the coalitions may not:

(a) Impose any requirement on a child care provider or

(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;

(c) 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 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 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 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 under s. 402.351.

(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 under s. 402.351, 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) on an early learning coalition in the adoption of a payment schedule. The payment schedule must take into consideration the prevailing average market rate, include the projected number of children to be served by each county, 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.

(5) The department may contract with one or more qualified entities to administer this section and provide support and technical assistance for child care providers.

(6) The State Board of Education 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 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...
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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,
y 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

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(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 mandatory reporting of possible overpayment, abuse, or fraud relating to the provision of and payment for school readiness program and Voluntary Prekindergarten Education Program services, and investigating possible acts of fraud, abuse, or overpayment.

(f) A description of the plan’s procedures for the Office of Inspector General within 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.

(g) 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 multicounty region.
multicounty region. The State Board of Education 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 a resource file of those services through the single statewide information system developed by the department under s. 1002.84(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
provisions to the existing child care Quality Care Program is established within the department.

(1) 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.

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f. A process for verifying continued accreditation compliance in the event of a transfer of ownership of 3335

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The provider has not had any Class I violations for a period of 2 3363

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(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. 120.536(1) and 120.54 which provide criteria and procedures for reviewing and approving accrediting associations for 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

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(3) The State Board of Education 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.

(f) 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.

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Beginning in the academic year 2021-2022, the Office of K-20 Articulation shall serve as the 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-K-20 education data warehouse, established pursuant to s. 1007.25.
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 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. 1008.25(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.

(c) 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

(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...
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...
Each school district shall:

1. Provide written notification to the parent of a student who is retained under 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 notification must comply with paragraph (5)(d) paragraph (5)(d) 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) paragraph (5)(c) 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) 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), 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-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 Early Learning-20 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
(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 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

(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 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 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
addition 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.
175th percentile is the rate identified by the U.S. Department of Health and Human Services as the goal to ensure equitable access for low-income children to high-quality child care.
3. The Conceptual Framework for SR Funding Methodology is a model similar to which the VPK Program is funded. The model would need to consider the following factors in order to equitably distribute funding across the 30 coalitions and RCMA:
   - Statewide reimbursement rates by care level and provider type
   - FTE by county
   - FPL or DCD
   - Local Quality initiatives
   - Non-direct services
   - Administrative costs
   - Quality Performance Incentives (Payment Differentials)

Additional Recommendations — Based on the review of the potential impact of recent initiatives to improve the quality of SR programs, the impact on the 2018-2019 SR data given the migration issues from the legacy data system to EFS Mod, and the anticipation of a new FPLU calculation from the Office of Economic and Demographic Research, it is recommended that OEL:

1. Recalibrate reimbursement rates in 2020-2021 using the anticipated additional CCDF funds (approximately $140 million). This should be accomplished by targeting specific care levels (i.e., infant, toddler and preschool) and coalitions where the reimbursement rates are low. The goal of the recalibration of rates would be to reach the 75th percentile.

2. Consider statutory authority to establish statewide child care reimbursement rates to reduce the variance and resulting inequities across coalitions.

3. Review the impact of SR program improvement initiatives for 2019-2020 and 2020-2021 including the use of contracted slots, as discussed in Section III, which gives high-quality providers a stable revenue source to maintain services.

4. Determine the impact of the three methodologies, described in Section V., based on SR data and feedback from stakeholders.
insurance expenditures. The Social Security Act requires the Secretary of Health and Human Services to calculate and ... and quality activities under one spending cap of 22% and further defines the allowable activities within each category.
TANF Block Grant funds are designed to help needy families achieve self-sufficiency. In Florida, the Department of Children and Families (DCF) is the federal recipient of these funds. Additionally, states may transfer up to 30-percent of their TANF funding to CCDF. DCF transfers TANF funds to OEL through an interagency agreement.

SSBG funds are awarded directly to states to provide essential social services that help achieve a myriad of goals to reduce dependency and promote self-sufficiency; protect children and adults from neglect, abuse and exploitation; and help individuals who are unable to take care of themselves to stay in their homes or to find the best institutional arrangements. Each state has the flexibility to determine which services will be provided, who is eligible to receive services and how funds are distributed among various services. Historically, there is an annual allocation of these funds for the SR Program. In Florida, the Department of Children and Families (DCF) is the federal recipient of these funds. DCF transfers SSBG funds to OEL through an interagency agreement.

C. State Funding and Requirements
Florida’s requirements for the SR Program are codified at Chapter 1002, Florida Statutes (F.S.), and address state and local governance; program eligibility, priorities and enrollment; and market rates for child care and program funding.

State and local governance – At the state level, OEL:
• Is designated as the lead to administer the state and federally funded SR Program.
• Is responsible for implementing the state’s Voluntary Prekindergarten (VPK) Education program.
• Partners with 30 early learning coalitions (coalitions), Redlands Christian Migrant Association (RCMA) and others to deliver comprehensive, statewide early learning services.
• Is accountable to the Commissioner of Education.

Florida’s 30 coalitions and RCMA deliver early learning services at the local level. As not-for-profit corporations, coalitions have governing boards made up of members of the local community. The board chair and two members are appointed by the Governor. OEL has contractual agreements with coalitions and RCMA for the provision of early learning services. Coalitions submit SR coalition plans along with other requirements to OEL for review and approval.

Program eligibility, priorities and enrollment – Those are delineated at s. 1002.87(1)(a), F.S. A family’s eligibility for SR services is redetermined annually. Priority is given first to children under the age of 13 from families that include a parent who is receiving Temporary Cash Assistance (TCA) and is subject to the federal work requirements. The second priority of children to be served are at-risk, as defined in s. 1002.81(1), F.S., and under the age of 9 years old. Subsequent priorities are based on the coalition’s local priorities for children meeting the following criteria:

1. Ages birth to 5 (eligible for admission to public school kindergarten) from a working family that is economically disadvantaged and may include the child’s eligible siblings.
2. Ages birth to 5 with a parent who transitions from a work program to employment.
3. Ages 9 to 13 who are at-risk. [These children are given priority for enrollment if their sibling is enrolled in the program under the first or second priority.]
4. Under the age of 13 with a parent who transitions from a work program to employment.
5. Ages 3 to 5 and who have been identified as having a disability and has a current individual educational plan.
6. Ages 4 to 5 who otherwise meet one of the first four priorities and is currently enrolled in VPK or the federal Head Start Program.

Market rate schedules for child care – A biennial market rate survey report is required by CCDF. This requirement is also found at s. 1002.895, F.S., and includes:
• Minimum and maximum rates for child care providers with and without a Gold Seal Quality Care designation (s. 402.261, F.S.).
• Differentiated rates by provider type – licensed child care providers, licensed exempt public or nonpublic schools, licensed exempt faith-based child care facilities and licensed or registered family day care homes.
• Differentiated rates by type of child care services – infants, toddlers, preschool-aged, school-aged and children with special needs or at-risk.
• Differentiated rates by full-time and part-time units of care.

Market rates for child care, adopted by each state, are required to be sufficient to ensure that eligible children have equal access to quality child care services comparable to children who are not eligible for the SR Program. The U.S. Department of Health and Human Services has indicated that the state child care reimbursement rates should be at the 75th percentile or higher to ensure that eligible children have access to high quality services. Market rates are required to be considered by coalitions in their adoption of a payment/reimbursement schedule. The 2017 Market Rates for Full-Time Gold Seal and Non Gold Seal Providers are included in Appendix 1.

Program funding - State requirements for SR funds are established in compliance with federal regulations and are specified at s. 1002.89, F.S. Requirements related to expenditures are as follows:
• Administration costs are currently limited to no more than 5-percent.
• Administrative costs, quality activities (as defined in s. 1002.89(16), F.S.) and non-direct services (as defined in s. 1002.89(17), F.S.) are limited to a combined total of no more than 22 percent.
• Direct services for child care must be at least 78 percent in Florida. Gold Seal payments rates are included in this category for coalition reporting.
The one model that was implemented in the 2012-2013 fiscal year included a reallocation of 10-
percent of the total prior funding using an “equity-based” allocation which was based on the
eligible population served by each coalition. This action resulted in ELCs either losing or gaining
funding based upon the historical allocation from the 2012-2013 fiscal year which was prorated
to funds available for the 2012-2013 fiscal year. However, the very next year the Legislature
restored the approximately $5 million in reductions that 14 coalitions received for the 2012-2013
fiscal year due to the implementation of the equity formula.

Each year since 2014-2015, the legislature has allocated increased CCDF funding to coalitions
based on a combination of the prior year’s allocations and the number of children on the waitlist
for services in each coalition.

|                | General Revenue | CCDF* | ESEF | TANF | ARRA
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*Includes CCDF, ESEF, and FRF which increase mid-year LBC supplemental budget

**American Recovery and Reinvestment Act of 2009 (ARRA)

B. Trends in Methodologies

The factors most often recommended in the proposed equity models over the years since 1999:

- Total population of birth- to 5-year-olds.
- Number of birth- to 5-year-olds at less than 150-percent of the Federal Poverty Level.
- Number of TANF-families with children, ages birth to 13 years old.
- Number of at-risk children.
- Number of children in foster care.
- Total number of children served by provider type and care level.
- Equalization by county using the Florida Price Level Index (FPLI) or District Cost Differential (DCC)

III. Initiatives to Improve the SR Program

A. Gold Seal Quality Care Program

In 1996, the Florida Legislature established the Gold Seal Quality Care program to acknowledge
child care facilities and family day care homes that have gone above the required minimum
licensing standards to become accredited by recognized agencies whose standard reflect quality
in the level of care and supervision provided to children (s. 402.281, F.S.).

The Gold Seal Quality Care Program is not an accreditation, but a designation which is voluntary
with potential benefits to those that participate including, but not limited to:

- A positive marketing tool for prospective parents.
- Tax exemptions on certain educational materials, and property taxes.
- Higher reimbursement for SR providers.
- Eligible to participate in the VPK Program.

Participation is available to all provider types that meet the definition of child care with the
exception of certain license-exempt school-age programs identified in administrative rule (see
Rule 65C-22.008(3), F.A.C.). SR providers that have a Gold Seal designation are eligible to receive
differential payment up to 20-percent above the coalition’s reimbursement rate.

B. 2018 Quality Initiatives

In 2018, the Florida Legislature passed legislation (HB 1091) affecting SR providers, which
included requirements for implementing a program assessment, child assessments and
differential payments (s. 402.82(2)(b)(6), F.S.).

1. Program Assessments

OEL selected the Classroom Assessment Scoring System (CLASS®) as the program assessment
tool because it met the statutory requirements to, “...measure[s] 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
CLASS® tool also has a strong evidence-based effect on child outcomes. CLASS® is an
observation-based program assessment instrument that measures teacher-child
interactions in three broad areas—emotional support, classroom organization and
instructional support. It describes multiple teaching components linked to student
achievement and social development.

OEL was also required to specify a minimum threshold for contracting purpose and program
improvement through an improvement plan. With a few exceptions, providers had to meet
the minimum threshold in order to be eligible for a SR contract. Additionally, a threshold
was set that if scored, would require the provider to develop and implement an
improvement plan.

For 2019-2020, these minimum thresholds were established as displayed below and included
in the applicable administrative rule (Rule 6M-4.751, Florida Administrative Code
As of September 1, 2012, $1.5 million has been awarded to 524 providers to develop an array of tools and resources to help providers assess the quality of their services and identify areas for improvement.

2.51 or above were required to receive differential payments if £ 1.5 million was awarded to 524 providers to develop an array of tools and resources to help providers assess the quality of their services and identify areas for improvement. Providers who received £ 1.5 million or more were required to develop an array of tools and resources to help providers assess the quality of their services and identify areas for improvement.

An overview of the 2018 CLASS® Results: Are exempt from having a program assessment.
D. Preschool Development Grant Birth through Five (PDG B-5)

In 2018, OEL was awarded the PDG B-5, which includes specific activities related to identifying the cost of providing quality child care. OEL contracted with the University of Florida Lastinger Center to complete an updated cost modeling analysis which combines a county-by-county assessment of capacity, enrollment, and payment rates, in order to support important strategic planning that focuses on a number of critical aspects of quality and accessibility of early care and education programs. This grant also required the development of a cost modeling tool to analyze SR provider reimbursement rates against the true cost of child care.

To design and develop the protocols and automated models, extensive data collection and analysis was completed. A statewide case study was developed that allows the user to model county-level variations, and numerous capacity and quality scenarios were completed to document the full impact of program differentiations on child care provider operations. Data on current base reimbursement rates for all 67 counties was also analyzed, as was the impact of quality performance incentive payment differentials.

The Lastinger Center, in partnership with OEL, completed comprehensive data collection and analysis to validate the current cost of child care by county, as well as the impact of current base payment rates and differentials. The cost models and calculation assumptions created will be used to develop an informative interactive calculator. The automated calculator will include all basic operational expenses and revenues of child care providers, as well as the current policy levers for increasing payment rates in alignment with quality.

The automation and functionality of the calculator will provide utility at the provider level, community and regional level, and state system level to inform the need for potential modifications to payment rates, targeted investments in quality, and considerations for funding efficiencies to maximize SR funding.

For the initial analysis, a workbook was developed that provides a side-by-side analysis of the current rates for the following:

- 75th percentile rate of each county’s 2017 market rate for each care level based on the data within the Non-Gold Seal Private Center distribution table.

- Daily payment-rate schedule for licensed or exempt providers that is approved by OEL for each early learning coalition and/or county.

The workbooks will allow OEL to model payment rate scenarios on the current approved base payment rate schedule, as well as scenarios that include funding the Gold Seal differential at the percentages currently approved for each coalition, the impact of the CLASS® payment differential and the 5-percent differential for child assessment.

OEL may also use the analysis capabilities of the side-by-side rate workbook to conduct ongoing analysis of both payment rates against the 75th percentile and the differential impacts on funding, as well as determine counties and/or care levels that the state and/or an early learning coalition may want to focus on as a part of ensuring funding is sufficient to access quality early learning opportunities.

Using the current market rate survey and existing base reimbursement rate schedules, in the examples displayed in the tables below, most counties (61 total) fall well below the 75th percentile rate for all care levels as illustrated for Duval, Escambia and Hillsborough counties. Even with maximum differentials applied, the total weekly reimbursement rates for each care level in Duval and Hillsborough counties are still below the 75th percentile rate. Whereas, in Escambia County with maximum differentials applied, the reimbursement rates in some care codes exceed the 75th percentile rate by more than 20-percent.

Example 1: 2017 Market Rate Survey and 75th Percentile Analysis

<table>
<thead>
<tr>
<th>County</th>
<th>Care Level</th>
<th>75th Percentile Rate</th>
<th>State Funded Rate</th>
<th>SR Payment Rates Compared to 75th Percentile Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duval</td>
<td>(INF)</td>
<td>$195.00</td>
<td>$120.00</td>
<td>under</td>
</tr>
<tr>
<td>Duval</td>
<td>(TOD)</td>
<td>$167.50</td>
<td>$115.00</td>
<td>under</td>
</tr>
<tr>
<td>Duval</td>
<td>(2YR)</td>
<td>$167.50</td>
<td>$108.75</td>
<td>under</td>
</tr>
<tr>
<td>Duval</td>
<td>(PR)</td>
<td>$145.00</td>
<td>$100.00</td>
<td>under</td>
</tr>
<tr>
<td>Duval</td>
<td>(PR)</td>
<td>$145.00</td>
<td>$83.00</td>
<td>under</td>
</tr>
<tr>
<td>Duval</td>
<td>(SCH)</td>
<td>$120.00</td>
<td>$82.00</td>
<td>under</td>
</tr>
<tr>
<td>Escambia</td>
<td>(INF)</td>
<td>$157.50</td>
<td>$139.50</td>
<td>under</td>
</tr>
<tr>
<td>Escambia</td>
<td>(TOD)</td>
<td>$138.13</td>
<td>$128.50</td>
<td>under</td>
</tr>
<tr>
<td>Escambia</td>
<td>(2YR)</td>
<td>$138.13</td>
<td>$117.50</td>
<td>under</td>
</tr>
<tr>
<td>Escambia</td>
<td>(PR)</td>
<td>$126.67</td>
<td>$110.50</td>
<td>under</td>
</tr>
<tr>
<td>Escambia</td>
<td>(PR)</td>
<td>$126.67</td>
<td>$107.50</td>
<td>under</td>
</tr>
<tr>
<td>Escambia</td>
<td>(SCH)</td>
<td>$126.67</td>
<td>$107.50</td>
<td>under</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>(INF)</td>
<td>$110.00</td>
<td>$97.50</td>
<td>under</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>(TOD)</td>
<td>$207.25</td>
<td>$153.00</td>
<td>under</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>(2YR)</td>
<td>$167.50</td>
<td>$130.00</td>
<td>under</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>(PR)</td>
<td>$147.50</td>
<td>$99.00</td>
<td>under</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>(PR)</td>
<td>$148.33</td>
<td>$92.00</td>
<td>under</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>(SCH)</td>
<td>$148.33</td>
<td>$94.00</td>
<td>under</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>(SCH)</td>
<td>$123.00</td>
<td>$80.00</td>
<td>under</td>
</tr>
<tr>
<td>Care Type</td>
<td>Total Weekly Rate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>-------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 110.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 120.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 195.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Enhanced Field System Modernization (EPS Mod) Part of the 2018 legislation that was passed required OEL to enhance the EPS Mod system to accommodate for HB 1091 requirements. S. 1002.82(2HdI. F.S., established that by July 1, 2019 EPS Mod must:

1. Allow for monitoring the development of the state, local, and federal risk assessment programs.
2. Include a mechanism for the development of the risk assessment programs.
IV. Future Quality Initiatives

A. Minimum CLASS® Threshold
Administrative rules specify the minimum CLASS® score that is required for SR providers to be eligible for a contract to provide these services. It is proposed that the minimum threshold, currently at 2.51 for 2019-2020, be raised to 3.50 for 2020-2021 and to 4.00 for 2021-2022.

B. Gold Seal Differential Payment
Consideration is being given to require all coalitions to pay Gold Seal providers the full 20 percent differential payment.

C. Contracted Slots
Consideration is also being given to expanding the use of contracted slots in high need communities that will be impacted by raising the minimum quality threshold (CLASS®) as presented above.

V. Summary of Prior Work and the Identification of Key Issues
As indicated in Section II, there have been multiple attempts to change the SR Funding Model. All of these proposed models have attempted to achieve the following:

1. Establish equitable funding across Florida’s diverse counties to meet the needs of their unique communities.
2. Reflect local economic conditions through the inclusion of a factor such as the FPL or the DCO.
3. Provide stable funding for communities affected by changes in the funding model to ensure continuity of services by minimizing the gains and losses over a multi-year implementation period.

Also noteworthy, was the practice of targeting the allocation of any additional or new SR funds to coalitions with waiting lists. This practice had the unintended effect of creating further inequities across counties and coalitions. Most recently, a study funded by the PDG B-5, showcased the instability of the child care reimbursement rates in many counties.

VI. Funding Methodology Recommendations
Below are descriptions of three funding methodologies that have been proposed: one, in section "A" by a work group in 2014 and the other, in section "B" most recently by an independent contractor. The third, outlined in section "C", is a conceptual framework for consideration.

A. 2014 SR Funding Model Work Group Methodology
In December 2012, Governor Rick Scott directed OEL to convene a work group to identify an allocation model for SR based on equity. The workgroup consisted of stakeholders representing coalitions, child care providers, early learning advocates, government entities and OEL. The workgroup considered seven models and indicated their preferences, via rankings, on two models. Both models:

   - Used the average funding rate per full-time equivalent (FTE) child for the past three years, with the most recent year weighted 50-percent the second year weighted 30-percent, and the third weighted 20-percent. (Other models only used the current year funding rate.
   - Reflected variations in local economic conditions through the use of the District Cost Differential.
   - Limited any decreases in funding to 5-percent per year.

The models varied on two factors:

1. The relative influence of the formula driven by statutory priority group numbers versus the total eligible population of children ages birth through 5 under 150-percent of the Federal Poverty Level. One model split the influence 50/50 and the other used a 60/40 split.
2. The limitations of increases for any single coalition.

Neither of the 2014 SR Funding Model work group recommendations, for which the formula calculations for each are depicted below, were implemented.

<table>
<thead>
<tr>
<th>3 year Average SR Funding Rate (weighted as described above)</th>
<th>Model 1: Child Population Served (50% priority groups and 50% eligible population)</th>
<th>Model 2: Child Population Served (60% priority groups and 40% eligible population)</th>
<th>County DCD + OR = Coalition Allocation*</th>
</tr>
</thead>
<tbody>
<tr>
<td>X OR X</td>
<td>Model 1: Adjustment to limit reduction to 5% or increase to 8.3%</td>
<td>Model 2: Adjustment to limit reduction to 5% or increase to 5.2%</td>
<td></td>
</tr>
</tbody>
</table>

*For multi-county coalitions, each county’s allocation would be added together prior to the adjustment to limit a coalition’s increases or decreases.
Zone 3: Counties whose FLPI rate was between 97.00 - 100.38. It is proposed that this zone is funded using $170 a week for toddler care.

<table>
<thead>
<tr>
<th>ZONE 3</th>
<th>FLORIDA PRICE LEVEL INDEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALACHUA</td>
<td>97.51%</td>
</tr>
<tr>
<td>Leon</td>
<td>96.76%</td>
</tr>
<tr>
<td>Brevard</td>
<td>98.59%</td>
</tr>
<tr>
<td>Clay</td>
<td>98.84%</td>
</tr>
<tr>
<td>Nassau</td>
<td>98.88%</td>
</tr>
<tr>
<td>Escambia</td>
<td>96.92%</td>
</tr>
<tr>
<td>Charlotte</td>
<td>98.53%</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>100.38%</td>
</tr>
<tr>
<td>Indian River</td>
<td>100.11%</td>
</tr>
<tr>
<td>Lake</td>
<td>97.52%</td>
</tr>
<tr>
<td>Manatee</td>
<td>98.45%</td>
</tr>
<tr>
<td>Okaloosa</td>
<td>99.23%</td>
</tr>
<tr>
<td>Walton</td>
<td>98.01%</td>
</tr>
<tr>
<td>Osceola</td>
<td>98.53%</td>
</tr>
<tr>
<td>Pasco</td>
<td>97.76%</td>
</tr>
<tr>
<td>Pinellas</td>
<td>96.61%</td>
</tr>
<tr>
<td>Seminole</td>
<td>99.30%</td>
</tr>
<tr>
<td>St. Lucie</td>
<td>100.29%</td>
</tr>
<tr>
<td>Glades</td>
<td>98.61%</td>
</tr>
<tr>
<td>Hendry</td>
<td>100.09%</td>
</tr>
</tbody>
</table>

Zone 2: Counties whose FLPI rate was between 94.00 - 96.99. It is proposed that this zone is funded using $150 a week for toddler care.

<table>
<thead>
<tr>
<th>ZONE 2</th>
<th>FLORIDA PRICE LEVEL INDEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gadsden</td>
<td>94.28%</td>
</tr>
<tr>
<td>Jefferson</td>
<td>94.00%</td>
</tr>
<tr>
<td>Wakulla</td>
<td>94.90%</td>
</tr>
<tr>
<td>Baker</td>
<td>99.91%</td>
</tr>
<tr>
<td>Bradford</td>
<td>98.28%</td>
</tr>
<tr>
<td>Putnam</td>
<td>95.07%</td>
</tr>
<tr>
<td>Flagler</td>
<td>90.90%</td>
</tr>
<tr>
<td>Volusia</td>
<td>95.73%</td>
</tr>
<tr>
<td>Columbia</td>
<td>93.82%</td>
</tr>
<tr>
<td>Union</td>
<td>95.06%</td>
</tr>
<tr>
<td>Deltona</td>
<td>97.08%</td>
</tr>
<tr>
<td>Hardee</td>
<td>95.37%</td>
</tr>
<tr>
<td>Highlands</td>
<td>94.50%</td>
</tr>
<tr>
<td>Okeechobee</td>
<td>97.59%</td>
</tr>
<tr>
<td>Glades</td>
<td>94.40%</td>
</tr>
<tr>
<td>Levy</td>
<td>94.34%</td>
</tr>
<tr>
<td>Sumter</td>
<td>96.49%</td>
</tr>
<tr>
<td>Bay</td>
<td>96.59%</td>
</tr>
<tr>
<td>Hernando</td>
<td>95.70%</td>
</tr>
<tr>
<td>Polk</td>
<td>96.26%</td>
</tr>
<tr>
<td>Santa Rosa</td>
<td>96.92%</td>
</tr>
</tbody>
</table>

Zone 1: Counties whose FLPI rate was between the lowest rate and - 93.99. It is proposed that this zone is funded using $140 a week for toddler care.

<table>
<thead>
<tr>
<th>ZONE 1</th>
<th>FLORIDA PRICE LEVEL INDEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liberty</td>
<td>92.17%</td>
</tr>
<tr>
<td>Madison</td>
<td>91.44%</td>
</tr>
<tr>
<td>Taylor</td>
<td>91.18%</td>
</tr>
<tr>
<td>Hamilton</td>
<td>90.64%</td>
</tr>
<tr>
<td>Lafayette</td>
<td>90.80%</td>
</tr>
<tr>
<td>Suwanee</td>
<td>92.40%</td>
</tr>
<tr>
<td>Marion</td>
<td>93.55%</td>
</tr>
<tr>
<td>Citrus</td>
<td>93.67%</td>
</tr>
<tr>
<td>Dixie</td>
<td>92.59%</td>
</tr>
<tr>
<td>Calhoun</td>
<td>92.30%</td>
</tr>
<tr>
<td>Franklin</td>
<td>92.09%</td>
</tr>
<tr>
<td>Gulf</td>
<td>93.11%</td>
</tr>
<tr>
<td>Holmes</td>
<td>92.74%</td>
</tr>
<tr>
<td>Jackson</td>
<td>92.24%</td>
</tr>
<tr>
<td>Washington</td>
<td>92.81%</td>
</tr>
</tbody>
</table>

Please note for calculation purposes the weekly rate times the FLPI should then be multiplied by 52 weeks to account for a full-time equivalent (FTE) before being multiplied by the population.

C. Conceptual Framework for SR Funding Methodology
In an effort to provide equitable funding based on actual children served and the percentage of the eligible population in each county, a model could be developed that is similar to the way in which the VPI Program is funded. The model would need to consider the following data components in order to equitably distribute SR Program funding across the 30 coalitions and RCMA and ensure a relatively equal level of funding per child served.

Statewide reimbursement rates by care level and provider type: Due to the significant variability of reimbursement rates across the state, and in an effort to achieve the federal goal of payments at the 75th percentile of the market rate, the state could set reimbursement rates for all counties and coalitions. Because each care level and provider type has remarkably different costs, a reimbursement rate table by care level and provider type could be established in the General Appropriations Act or by OEL for use at the local level.

Estimated Full-Time Equivalent (FTE) by county: Each child served in the SR Program should be funded at relatively the same reimbursement rate regardless of the location in which they are served. Including factors for growth and for the percentage of eligible population served in each county, as well as the unmet need based on the total eligible population in each county, as determined by the Early Learning Programs Estimating Conference pursuant to s. 216.136(8), F.S., will provide funding not only for children currently receiving care but also for eligible children who have not yet accessed services.
## Appendix 1 - 2017 Market Rate Report

### Table 1: Market Rate Summary

<table>
<thead>
<tr>
<th>Level</th>
<th>Total Market Rate</th>
<th>Minimum Market Rate</th>
<th>Maximum Market Rate</th>
<th>arket Rate</th>
<th>Percentile Rank</th>
<th>Market Rate Distribution</th>
<th>Current Market Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-K</td>
<td>$25,000 - $30,000</td>
<td>$25,000</td>
<td>$30,000</td>
<td>$27,500</td>
<td>10th</td>
<td>11th</td>
<td>$28,000</td>
</tr>
<tr>
<td>Kindergarten</td>
<td>$25,000 - $30,000</td>
<td>$25,000</td>
<td>$30,000</td>
<td>$27,500</td>
<td>10th</td>
<td>11th</td>
<td>$28,000</td>
</tr>
<tr>
<td>1st-3rd Grade</td>
<td>$25,000 - $30,000</td>
<td>$25,000</td>
<td>$30,000</td>
<td>$27,500</td>
<td>10th</td>
<td>11th</td>
<td>$28,000</td>
</tr>
<tr>
<td>4th-8th Grade</td>
<td>$25,000 - $30,000</td>
<td>$25,000</td>
<td>$30,000</td>
<td>$27,500</td>
<td>10th</td>
<td>11th</td>
<td>$28,000</td>
</tr>
</tbody>
</table>

### Table 2: Market Rate Trends

<table>
<thead>
<tr>
<th>Year</th>
<th>Overall Market Rate</th>
<th>Pre-K Market Rate</th>
<th>Kindergarten Market Rate</th>
<th>1st-3rd Grade Market Rate</th>
<th>4th-8th Grade Market Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>2016</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>2017</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
</tbody>
</table>

### Notes
- The market rate is defined as the average market rate for all properties within a given category.
- The market rate distribution is calculated based on the percentage of properties that fall within each market rate range.
- Percentile rank indicates the position of the market rate within the distribution.

---
### Gold Seal
Private Centers

<table>
<thead>
<tr>
<th>Care Level</th>
<th>Number of Providers</th>
<th>Market Rate (Private Pay Rates)</th>
<th>School Readiness Reimbursement Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rates Included</td>
<td>Rates Excluded</td>
<td>Average</td>
</tr>
<tr>
<td>Infant</td>
<td>1,031</td>
<td>27</td>
<td>$195.70</td>
</tr>
<tr>
<td>Toddler</td>
<td>1,590</td>
<td>10</td>
<td>$171.65</td>
</tr>
<tr>
<td>Preschool</td>
<td>1,422</td>
<td>22</td>
<td>$153.74</td>
</tr>
<tr>
<td>School age</td>
<td>1,182</td>
<td>19</td>
<td>$132.37</td>
</tr>
</tbody>
</table>

### Large Family Child Care Homes (PCCCH)

<table>
<thead>
<tr>
<th>Care Level</th>
<th>Number of Providers</th>
<th>Market Rate (Private Pay Rates)</th>
<th>School Readiness Reimbursement Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rates Included</td>
<td>Rates Excluded</td>
<td>Average</td>
</tr>
<tr>
<td>Infant</td>
<td>67</td>
<td>0</td>
<td>$170.42</td>
</tr>
<tr>
<td>Toddler</td>
<td>69</td>
<td>0</td>
<td>$155.25</td>
</tr>
<tr>
<td>Preschool</td>
<td>69</td>
<td>0</td>
<td>$138.75</td>
</tr>
<tr>
<td>School age</td>
<td>54</td>
<td>0</td>
<td>$119.00</td>
</tr>
</tbody>
</table>

### Family Child Care Homes (PCCCH)

<table>
<thead>
<tr>
<th>Care Level</th>
<th>Number of Providers</th>
<th>Market Rate (Private Pay Rates)</th>
<th>School Readiness Reimbursement Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rates Included</td>
<td>Rates Excluded</td>
<td>Average</td>
</tr>
<tr>
<td>Infant</td>
<td>69</td>
<td>0</td>
<td>$199.64</td>
</tr>
<tr>
<td>Toddler</td>
<td>71</td>
<td>2</td>
<td>$152.06</td>
</tr>
<tr>
<td>Preschool</td>
<td>71</td>
<td>2</td>
<td>$144.04</td>
</tr>
<tr>
<td>School age</td>
<td>76</td>
<td>1</td>
<td>$139.78</td>
</tr>
</tbody>
</table>

### Public Schools

<table>
<thead>
<tr>
<th>Care Level</th>
<th>Number of Providers</th>
<th>Market Rate (Private Pay Rates)</th>
<th>School Readiness Reimbursement Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rates Included</td>
<td>Rates Excluded</td>
<td>Average</td>
</tr>
<tr>
<td>Preschool</td>
<td>81</td>
<td>5</td>
<td>$164.38</td>
</tr>
<tr>
<td>School age</td>
<td>96</td>
<td>0</td>
<td>$187.60</td>
</tr>
</tbody>
</table>

### Private Schools

<table>
<thead>
<tr>
<th>Care Level</th>
<th>Number of Providers</th>
<th>Market Rate (Private Pay Rates)</th>
<th>School Readiness Reimbursement Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rates Included</td>
<td>Rates Excluded</td>
<td>Average</td>
</tr>
<tr>
<td>Preschool</td>
<td>16</td>
<td>1</td>
<td>$142.10</td>
</tr>
<tr>
<td>School age</td>
<td>5</td>
<td>1</td>
<td>$120.00</td>
</tr>
</tbody>
</table>

The rates provided have been converted to weekly rates. For quality assurance purposes, the following rates have been excluded: full time or part time rates above $300.00, full time rates less than $50.00, and part time rates less than $25.00.

**% displayed when the number of Private Rates included at the county level is less than 4. Refer to the state level data in these instances.

Provider not included in the rate calculation include: Head Start Only, Playgroup, Summer Camp/Recreational Programs, Sick Care Agency, Neighbors/Aide Agency, and Family Friends and Neighbor providers.

Data reflects revised 2017 Private Pay rates from Pinellas County incorporated on March 15, 2019.
Appendix 2 – History of School Readiness Funding Formula

History of School Readiness Allocation Methodology

Prior to 1999-2000

Prior to 1999, the responsibility for early care and education programs was divided among the state departments of Education and Children and Family and the federal Head Start Program. The Florida Department of Education (FDOE) administered and funded school-based readiness programs such as the Prekindergarten Early Intervention Program, Prekindergarten Program for Children with Disabilities, Florida First Start, and Migrant Prekindergarten. The Department of Children and Family Services (DCFS) administered the Subsidized Child Care Program, which provided child care services to at-risk and economically disadvantaged children since 1974.

Funding was allocated to the 18 FDOE districts across the state, which were then contracted with 26 community child care coordinating agencies to administer the program. Subsidized child care within DCFS accounted for approximately 60% of total early care and education program funding. The federal Head Start Program also provided readiness services in local communities through funding provided directly to individual grantees. These programs functioned independently except for various interagency coordination efforts required by law.

1999-2006

In 1999, the legislature authorized the School Readiness Act (Ch. 99-117, Laws of Florida), creating the Florida Partnership for School Readiness (Partnership), a state-level governing board to coordinate statewide program efforts and creating state School Readiness councils to plan and implement a comprehensive program of readiness services. To staff the Partnership, the legislature transferred funds from the FDOE Child Care Program to the Partnership, the Migrant Prekindergarten Program to the Partnership, which was assigned to the Executive Office of the Governor for administrative purposes. The intent of the School Readiness Act was to create a more cohesive, efficient, and integrated school readiness system and increase children’s chances of achieving higher educational success and becoming productive members of society. The legislation created three major components:

- A state-level governing board with responsibility for coordinating statewide efforts.
- Local school readiness councils to coordinate services.
- An estimating conference for school readiness programs.

For the first time, Florida’s early care and education programs (apart from programs for students with disabilities and Head Start) were subject to the planning and direction of a single entity at both the state and local levels. The bill required councils to receive funding from each of the previous separate early education and child care programs that were funded with state, federal, industry, or local funds including Florida First Start programs, infant-toddler library programs, prekindergarten early intervention programs, programs offered by public and private providers of child care, migrant prekindergarten programs, Title V programs, subsidized child care programs and Head Start programs, together with any additional funds appropriated or obtained for those purposes. These programs and their funding streams became components of the coalition’s Integrated School Readiness Program, with the goal of preparing children for success in school.

2000-2001

In 2000, the legislature further revised funding requirements for the Partnership to provide for funding for coalitions (Ch. 2000-149, Laws of Florida). The biggest change was to redirect funding that was previously allocated to school districts by the Commissioner of Education for the Prekindergarten Early Intervention Program (PKIEP) into district revenue, specifically appropriation of Ch. 2000-149, Laws of Florida, to be allocated by the Partnership to the newly formed school readiness coalitions. The allocation was a minimum amount plus an additional allocation based on an allocation factor equal to one-quarter of each coalition’s percentage share of the state’s third-grade reading proficiency at the grade level served.

For each of the programs incorporated into the new School Readiness Program, overseen by the Partnership, the following allocation factors for coalitions were applied for the 2000-2001 fiscal year:

<table>
<thead>
<tr>
<th>Program</th>
<th>Allocation Factor</th>
<th>60% Pre-K \text{per} \text{dollar}</th>
<th>\text{increase}</th>
<th>20% DCFS expenditure</th>
<th>\text{increase}</th>
<th>10% DCFS expenditure</th>
<th>\text{increase}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-K Training</td>
<td>0.60</td>
<td>\text{increase}</td>
<td>\text{increase}</td>
<td>0.20</td>
<td>\text{increase}</td>
<td>0.10</td>
<td>\text{increase}</td>
</tr>
<tr>
<td>Pre-K Training</td>
<td>0.60</td>
<td>\text{increase}</td>
<td>\text{increase}</td>
<td>0.20</td>
<td>\text{increase}</td>
<td>0.10</td>
<td>\text{increase}</td>
</tr>
<tr>
<td>Pre-K Training</td>
<td>0.60</td>
<td>\text{increase}</td>
<td>\text{increase}</td>
<td>0.20</td>
<td>\text{increase}</td>
<td>0.10</td>
<td>\text{increase}</td>
</tr>
</tbody>
</table>

In 2001, the legislature transferred administrative support for the Partnership from the Executive Office of the Governor to the Agency for Community Innovation (ACI) (Ch. 2010-170, Laws of Florida). The legislation also repealed the statutory authority for the individual school-based readiness programs, thereby creating a single readiness program under the direction of the Partnership and local coalitions. The bill redefined direct responsibility for certain administrative aspects such as budget development and allocation. At the local level, school readiness councils were given direct authority. Although local school boards were no longer directly involved in administering the program, they can still provide program services and support through contractual arrangements with readiness coalitions.

During the first two years of the program (i.e., through June 1, 2001), only seven coalitions signed contracts with the Partnership and assumed responsibility for funding and services. Thus, during this period, funding for the 13 remaining coalitions went directly to the school district and community child care coordinating agencies, and the local coalitions did not assume control of the program. The lack of a centralized funding source during the first 24 months of the program's expansion slowed program growth and created a major barrier to program implementation at the local level. Centralized funding is now one of the major elements of the School Readiness Program and enables coalitions to unify planning and local control of readiness programs. Because funding was not centralized until 2001, coalitions were unable to assume control of the program. The original School Readiness legislation required the Partnership to present to the legislature, by February 1, 2000, a plan for combining the different funding streams into a School Readiness Trust Fund.
Το προσωπικό έπειτα προκινείται από τον Α.Κ.Α. Κυριακίδη και τον Α.Κ.Α. Παπαζώδης σε συνομιλίες με τον δήμαρχο Αργολίδας. Περιγράφονται επίσης οι προκαταρκτικές επικοινωνίες με τους ΠΕΑ Κυριακίδη και Παπαζώδης, οι οποίες προκύπτουν από την ολοκλήρωση των προηγούμενων επικοινωνιών. Αυτό δίνει τη δυνατότητα στους δήμαρχους να διεξάγουν μια ολοκληρωμένη προηγούμενη προετοιμασία προκειμένου να μπορέσουν να διαχωρίσουν τα χρηματικά μεταφέροντα προς την υποδομή και την υποδομή. Περιγράφεται επίσης η διαδικασία των επικοινωνιών με τον δήμαρχο Αργολίδας για την επιλογή της υποδομής και της υποδομής.

Σημειώνεται ότι το προσωπικό από την προηγούμενη περίοδο εκτελεί τη διαδικασία των επικοινωνιών με τον δήμαρχο Αργολίδας για την επιλογή της υποδομής και της υποδομής. Περιγράφεται επίσης η διαδικασία των επικοινωνιών με τον δήμαρχο Αργολίδας για την επιλογή της υποδομής και της υποδομής.

Σημειώνεται ότι το προσωπικό από την προηγούμενη περίοδο εκτελεί τη διαδικασία των επικοινωνιών με τον δήμαρχο Αργολίδας για την επιλογή της υποδομής και της υποδομής. Περιγράφεται επίσης η διαδικασία των επικοινωνιών με τον δήμαρχο Αργολίδας για την επιλογή της υποδομής και της υποδομής.
In 2012, the legislature reorganized AISN (CR, 2012-442, Laws of Florida) and effective October 1, 2012, it was renamed the department of economic opportunity. As part of this reorganization, the DCF serving division of AISN became a separate budget entity within the DCF with a direct report to the Governor, and was renamed as Florida’s Office of Early Learning (OEL). In 2013, the new office convened a work group comprised of select OFL executive directors who agreed upon a methodology with which to fund the 33 ELCE and Head Start migrant Christian association (MCAA). OEL submitted an allocation formula based upon the results of a study. The OEL proposed an agreement upon equity-based allocation formula that began the process of implementing an “equity-based” allocation formula as recommended by the auditor general and prescribed in HB 5083 from the 2012 legislative session (the bill was subsequently vetoed by the Governor).

The 2012 GAA required OEL to allocate the funds provided for the 2012-2013 fiscal year as prescribed in HB 5083 and recommended for approval by OEL to the school readiness allocation conference (SRAA in specific Appropriations 79, CR, 2011-130). The allocation formula that was implemented in July 2012 redistributed 3% of the prior funding allocation using the “equity-based” allocation which was based on the eligible population served by each coalition. The result resulted in a $2.2 million saving or equalizing funding based upon the historical allocation from the 2011-2012 fiscal year which was processed to funds available for the 2012-2013 fiscal year.

Equity Methodology proposed to OFL; mir of each of the factors listed below the percentage for each county was calculated, the result was multiplied by the total allocation and the weight was applied. The four resulting allocations were summed and multiplied by the OEL. The percentage of the adjusted allocation was determined and multiplied by 30% and the result was the initial allocation. This factor was added to the remaining 50% of continuation funding.

<table>
<thead>
<tr>
<th>Factors</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Childbirth under 5</td>
<td>30%</td>
</tr>
<tr>
<td>Childbirth through 5 under 13975FL</td>
<td>10%</td>
</tr>
<tr>
<td>Childbirth through 5 under 23975FL</td>
<td>15%</td>
</tr>
<tr>
<td>Childbirth under 12 under 23975FL</td>
<td>25%</td>
</tr>
</tbody>
</table>

For the 2013-2014 fiscal year, OFL, as directed by the Governor, processed a funding formula that mirrored what had been implemented the prior year which would have resulted in no additional line or gains incurred by ELCE from the funding in the 2012-2013 fiscal year. While the legislature acted upon that recommendation and maintained the same allocation amount for the 2013-2014 fiscal year, they also restored or reformed that coalition receiving 15% of the allocation formula by OEL. The GAA specifically allocated funding to each coalition that included approximately 35 million to restore the funding lost of any coalition which was a result of the use of the allocation formula used in the 2012-2013 fiscal year (specific Appropriations 79, CR, 2012-442, Laws of Florida).
THE FLORIDA SENATE

APPEARANCE RECORD

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

Meeting Date: 1/27/2020

Bill Number (if applicable): 476932

Topic: Student Athletic Safety

Name: Robert Sefton

Job Title: Ex Director

Address: 59 Willow Dr

ST. AUGUSTINE, FL 32080

Phone: 90457629269

Email: Robert.Sefton@bhaci.org

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

Representing: JSMP & FASMed

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
1/27/2020

Bill Number (if applicable)
SB1696

Topic
Student Athletes

Name
Khaak-Lien ("Con Lynn") Banko

Job Title
Resolutions Chair

Address
1747 Orlando Central Parkway
Orlando, FL 32809

Phone
(407) 855-7104

Email
resolutions@floridapta.org

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.

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

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic
Athlete Safety Bill

Name
Laurie Giordano

Job Title
Zack Martin Memorial Foundation

Address
13232 Hampton Park Ct.
St. Myers, FL 33913

Phone
239 300 3239

Email
Laurie @ BEHIP.LIFE

Speaking:  ✔ For  ☐ Against  ☐ Information

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

Representing
Zack Martin Memorial Foundation

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)
1/27/2020

Meeting Date

Bill Number (if applicable)

Topic

Student-Athlete Safety

Name

Robert Sefuli

Job Title

Ex Director

Address

59 Willow Dr

St. Augustine FL 32080

Phone

904-562-9269

Email

Robert.Sefuli@asm.state.fl.us

Speaking: 

☑️ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

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

Representing

JSMP & FASMED

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)
Meeting called to order

Roll call

Quorum is present

Chair Diaz - gives introductory instructions

Vice Chair Montford - makes comments and introductions

Take up tab 8 SB 1696 by Senator Perry

Take up amendment 476932 - technical amendment is adopted

No member questions

Back on the bill SB 1696

Laurie Gordon for Zach Martin Memorial Foundation Ft Myers in support

Robert Sefick St Augustine for JSMP in FasMed in support

Question from Senator Montford

Toni Large FL Orthopedic Society, Khanh-Lien Banko FL PTA in support,

Senator Cruz in debate

Senator Montford in debate

Senator Perry closes on bill

CS for SB 1696 is reported favorably

Take up Tab 1 by Senator Montford SB 190

Senator Montford explains the bill

Senator Stargel with questions

Senator Montford responds

Senator Stargel and Senator Montford speak back and forth

Public speakers Speaking in support: Sarah Handley FL UMC, John J Sullivan Broward Co. Public Schools

Ruth Brandwein National Assn of Social Workers FL in support

Heather Davidson Dir Public Policy United Way Broward County in support

Others in support

Albat Balido FL Policy Institute in support

Joy Frank General Counsel FL Association of District School Superintendents in support

Ann Swerlick FL Policy Institute in support Orlando

Suzanne Sewel President CEO FL Association Rehabilitation Facilities in support

Tina King VP/COD United Way Suncoast Brandon FL in support

Amanda Gorski The Children's Trust Fund Miami Dade County in support

Ann Swerlick FL Policy Institute in support Orlando

Amanda Frazer in support Broward County

Pastor C. Smith in support Ivan Church Crawfordville

Senator Stargel in debate

No further debate

Senator Montford closes on bill

Roll Call on SB 190

SB 190 is reported favorably
1:56:58 PM Tab 4 SB876 by Senator Gibson
1:57:32 PM Senator Gibson explains the bill
1:57:42 PM Questions on the bill -none
1:58:13 PM 1 appearance
1:58:15 PM Khanh Lien Banko FL PTA in support
1:58:25 PM No debate on the bill
1:58:33 PM Senator Baxley
1:58:37 PM Senator Baxley
1:58:40 PM Senator Gibson closes on bill
1:58:42 PM Roll call on SB 876
1:58:56 PM SB 876 is reported favorably
1:59:06 PM Take up tab 2 Senator Harrell SB 738
1:59:38 PM Senator Harrell explains the bill
2:00:04 PM Questions on the bill -none
2:01:06 PM Appearance - Stacy Butterfield Polk County Office Clerk of Court in support
2:01:19 PM Dan Hendrickson in support
2:01:28 PM Senator Berman in debate
2:02:01 PM Senator Harrell closes on the bill
2:02:08 PM Roll call on SB 738
2:02:38 PM SB 738 reported favorably
2:03:02 PM Tab 7 by Senator Harrell SB 1688
2:03:18 PM Senator Harrell explains the bill
2:06:19 PM Questions on the bill-
2:07:19 PM Senator Berman with question
2:07:47 PM Senator Harrell - back and forth discussion on progress
2:09:18 PM Senator Berman with further question on evauations
2:10:07 PM Senator Harrell answers
2:10:47 PM Senator Berman
2:10:53 PM Senator Harrell on timeline
2:11:22 PM Senator Berman on modeling
2:11:35 PM Senator Harrell responds
2:11:44 PM Senator Cruz with question - back and forth with Senator Harrell.
2:16:10 PM Public Appearance - Heather Davidson United Way of Broward County in support
2:16:30 PM Megan Turetsky Lavderabad FL Children's Services Council of Broward County in support
2:17:14 PM Waive in support
2:17:21 PM Miami Dad
2:17:47 PM Information Amanda Gorski- The Children's Trust Miami Dade County
2:20:17 PM Debbie Mortam Foundation for Florida's Future info in support
2:21:26 PM Amanda Gorski Childrens Trust Miami Dade County in support
2:21:34 PM Molly Grant Association Early Learning Coalitions in support
2:21:41 PM David Daniel FL Assoc for Child Care Mangement information in support
2:25:38 PM Natlax Money United Way Suncoast Brandon FL in support
2:25:47 PM Natlax Money Helios Foundation Brandon FL in support
2:25:48 PM Matt Guse Florida Children's Council in support
2:25:56 PM Matthew Choy FL Chamber of Commerce in support
2:26:03 PM Paula Jefferson Teacher Educator Hillsborough County oppose
2:26:09 PM Sabrina Gates Educator lithia FL oppose
2:26:15 PM Elizabeth Brown-Davis teacher Ruskin FL opposes
2:26:33 PM Mindy Ogould Leg Advocacy Chair Miami Dade County PTA
2:27:16 PM Polly Delucia PTA Idyllwide Elementary Sanford FL in support/ Madonna Higgs Educator Brandon FL oppose/ Zheite Dacparo Realtor Orlando oppose
2:28:20 PM Heather Campion Sub Teacher Orlando oppose
2:28:46 PM Marie Claire Leman Tallahassee Common Ground information
2:31:42 PM Marie Claire Leman Talla Common Ground information
2:32:12 PM Madeline Thakur Chief of Staff the Children's Movement Miami with information The Children's Movement
2:33:42 PM Dr. Nancy Lawther Orlando PTA with information
2:37:07 PM Megan Hendricks Alachua county Council of PTAs information in support
2:38:23 PM Dr. Pyllis Kalifeh TLH in support
2:38:35 PM Chris Dugga Exec Director FL Assoc for ED Young Children in support
2:38:53 PM Senator Berman in debate
2:39:34 PM Senator Stargel in debate
2:39:46 PM Senator Montford in debate
2:41:38 PM    Senator Baxley in support
2:44:00 PM    Senator Harrell closes on the bill
2:46:38 PM    Roll Call on SB 1688
2:47:42 PM    Roll Call on SB 1688
2:47:42 PM    SB 1688 is reported favorably
2:47:59 PM    Tab 6 SB1568 by Senator Hutson
2:48:14 PM    Senator Hutson explains the bill
2:48:47 PM    Take up Late file amendment 977444
2:49:45 PM    Huston explains the Late amendment
2:49:59 PM    Amendment is adopted / Cincy Cosper Citizen Advocate Methodist Church in support
2:50:46 PM    Back on the bill
2:50:51 PM    No questions on the bill
2:51:02 PM    Natalie King Charter School Leaders Brandon FL in support/ Amanda Bowen Exec Dir Manufacturers of FL in support
2:51:09 PM    Dr. Nancy Lawther with information Orlando FL PTA
2:54:13 PM    Scott Jenkins in support FL National Utility Contractors Assoc of FL in support/ Carol bowen Chief Lobbyist Associate Builder and Contractor information
2:54:31 PM    Elizabeth Moya    Dir of Legislative Affairs FL Dept of Education in support
2:54:39 PM    Edward T Denham FL Methodist Church African Episcopal Methodist in support
2:54:57 PM    Senator Montford in debate
2:55:05 PM    Senator Hutson closes on bill
2:55:18 PM    Roll call on SB 1568
2:55:35 PM    SB 1568 is reported favorably
2:55:52 PM    Take up tab Senator Baxley Tab 5 SB 946
2:56:10 PM    Senator Baxley explains the bill
2:56:44 PM    Questions on the bill
2:57:45 PM    Senator Cruz    with question
2:57:55 PM    Senator Baxley responds
2:58:21 PM    David Barkey ADL Anti Defamation league against Boca Raton/ Ketih Flaugh Marco Isle FL Citizens Alliance in support
2:59:12 PM    Barbara Devane FL Now is against Tallahassee/ Devon Graham against American Atheists Tallahassee
3:00:40 PM    Bill Bunkley    President Tampa Florida Ethics and Relitigious Liberty Commission in support
3:01:41 PM    Rabbi Schnevr Oirechman Chabad of FL in support
3:04:47 PM    Debate on the bill
3:05:53 PM    Senator Berman in debate
3:06:06 PM    Senator Stargel in debate
3:07:17 PM    Senator Baxley closes on the bill
3:08:21 PM    Roll call on SB946
3:08:34 PM    SB 946 is reported favorably
3:08:56 PM    Gavel passed to Vice Chair Montford
3:09:07 PM    Take up tab 3 Senator Diaz presents SB 774
3:10:32 PM    Questions on the bill
3:11:32 PM    none
3:11:38 PM    Joanne Alvarez 911 Operator Broward S.O. Plantation FL oppose
3:11:47 PM    Anthony Marciano Seargeant Sheriffs Office Boca Raton    against
3:11:56 PM    Martin Bulinsky Professor Geology Tallahassee TCC against
3:13:00 PM    Dr. Ana Ciereszlo Leg Director United Faculty of Miami Dade against
3:14:17 PM    Elizabeth Brown Davis Ruskin FL Teacher against
3:14:27 PM    Nancy Luna Kissimmee Training Coordinator against
3:14:31 PM    Fred Bevis Training Director Jatse Local 835 Orlando against / Paula Ruffin Jefferson Teacher Zephyrhills against
3:14:49 PM    Madonna Higgs Educator Brandon FL against
3:14:50 PM    Sylvia Gonzalez Driver against /Jacqulyne Stevens Bus Driver against
3:15:01 PM    Darwin    Madrid HEO 4 Summerfeld FL against
3:15:07 PM    Mark Viggiano Union Plumber St Petersburg against
3:15:13 PM    Kyle Milwaukee Kissimmee against
3:15:39 PM    Marshall Ugletree Exec Director United Faculty of FL againstno
3:18:44 PM    Kyle Goworski Plant City against
3:19:06 PM    Sabrina Gates Lithia Educator against
3:20:05 PM    Jason Stough County Employee Orange County Titusville against
3:23:23 PM    Dr. Rich Templin FL AFL- CIO against the bill
3:24:25 PM    Stargel moves time certain to vote 3:30 pm
3:24:51 PM Roll call on SB 774 - SB 774 is reported favorably. Gavel is passed back to the Chair.
3:25:50 PM Senator Baxley moves to be shown vote yea for tab 8, 1696 190 876 738
3:26:14 PM Motion adopted
3:26:16 PM Stargel moves to adjourn - Meeting is adjourned.