

1 A bill to be entitled
2 An act relating to early learning; amending s. 39.0121,
3 F.S.; deleting an obsolete reference to the repealed
4 subsidized child care program; amending s. 39.202, F.S.;
5 replacing an obsolete reference to a repealed program with
6 an updated reference to the school readiness program;
7 authorizing county agencies responsible for licensure or
8 approval of child care providers to be granted access to
9 certain confidential reports and records in cases of child
10 abuse or neglect; amending s. 39.5085, F.S.; deleting an
11 obsolete reference to a repealed program; amending s.
12 383.14, F.S.; replacing obsolete references to the former
13 State Coordinating Council for School Readiness Programs
14 with updated references to the Agency for Workforce
15 Innovation; transferring, renumbering, and amending s.
16 402.25, F.S.; updating an obsolete reference to a repealed
17 program; deleting obsolete references relating to the
18 repealed prekindergarten early intervention program and
19 Florida First Start Program; amending s. 402.26, F.S.;
20 revising legislative intent; updating an obsolete
21 reference to a repealed program; amending s. 402.281,
22 F.S.; establishing the Gold Seal Quality Care program
23 within the Department of Children and Family Services;
24 providing that child care facilities, large family child
25 care homes, and family day care homes may receive a Gold
26 Seal Quality Care designation if accredited by a
27 nationally recognized accrediting association and meeting
28 certain requirements; requiring that the department adopt

29 | rules establishing accrediting standards; requiring that
30 | an accrediting association apply to the department for
31 | participation in the program; revising the entities with
32 | which the department must consult regarding the approval
33 | of accrediting associations; transferring and renumbering
34 | s. 402.3016, F.S., relating to Early Head Start
35 | collaboration grants; transferring, renumbering, and
36 | amending s. 402.3018, F.S.; transferring administration of
37 | the statewide toll-free Warm-Line from the department to
38 | the agency; conforming provisions; transferring,
39 | renumbering, and amending s. 402.3051, F.S.; revising
40 | procedures for child care market rate reimbursement and
41 | child care grants; transferring authority to establish the
42 | procedures from the department to the agency; directing
43 | the agency to adopt a prevailing market rate schedule for
44 | child care services; revising definitions; authorizing the
45 | agency to enter into contracts and adopt rules; amending
46 | s. 402.313, F.S.; deleting obsolete provisions authorizing
47 | the department to license family day care homes
48 | participating in a repealed program; repealing s.
49 | 402.3135, F.S., relating to the subsidized child care
50 | program case management program; transferring,
51 | renumbering, and amending s. 402.3145, F.S.; transferring
52 | administration of certain transportation services for
53 | children at risk of abuse or neglect from the department
54 | to the agency; revising requirements for the provision of
55 | such transportation services; amending s. 402.315, F.S.;
56 | revising provisions relating to fees collected for child

57 | care facilities; amending s. 402.45, F.S.; updating an
58 | obsolete reference relating to a former council; directing
59 | the Department of Health to consult with the agency
60 | regarding certain training provided for contractors of the
61 | community resource mother or father program; amending s.
62 | 409.1671, F.S.; clarifying that a licensed foster home may
63 | be dually licensed as a family day care home or large
64 | family child care home and receive certain payments for
65 | the same child; deleting an obsolete reference to a
66 | repealed program; amending s. 411.01, F.S.; revising
67 | provisions relating to the School Readiness Act; revising
68 | legislative intent; revising the duties and
69 | responsibilities of the Agency for Workforce Innovation;
70 | revising provisions for school readiness plans; specifying
71 | that certain program providers' compliance with licensing
72 | standards satisfies certain health screening requirements;
73 | requiring early learning coalitions to maintain certain
74 | direct enhancement services; deleting obsolete provisions
75 | relating to the merger of early learning coalitions;
76 | revising provisions for the membership of early learning
77 | coalitions and the voting privileges of such members;
78 | revising requirements for parental choice; directing the
79 | agency to establish a formula for allocating school
80 | readiness funds to each county; providing for legislative
81 | notice and review of the formula; amending s. 411.0101,
82 | F.S.; revising requirements for services provided by the
83 | statewide child care resource and referral network;
84 | updating obsolete references to repealed programs;

85 | amending s. 411.0102, F.S.; revising provisions relating
86 | to the Child Care Executive Partnership Act; updating
87 | obsolete references to repealed programs; deleting
88 | provisions relating to the duties of each early coalition
89 | board; amending s. 411.203, F.S.; deleting an obsolete
90 | reference to a repealed program; conforming provisions;
91 | amending s. 411.221, F.S.; updating an obsolete reference
92 | to a former council; amending ss. 445.024, 445.030,
93 | 490.014, and 491.014, F.S.; deleting obsolete references
94 | to repealed programs; conforming provisions to the repeal
95 | of the subsidized child care case management program;
96 | amending ss. 1002.53, 1002.55, 1002.67, and 1002.71, F.S.;
97 | revising provisions relating to the eligibility
98 | requirements for private prekindergarten providers;
99 | conforming provisions to changes made by the act; amending
100 | s. 1002.69, F.S.; authorizing the State Board of Education
101 | to grant good cause exemptions from private
102 | prekindergarten providers' and private schools'
103 | ineligibility to deliver the Voluntary Prekindergarten
104 | Education Program under certain circumstances; amending s.
105 | 1002.73, F.S.; authorizing the Department of Education to
106 | adopt procedures for the granting of good cause
107 | exemptions; amending s. 1009.64, F.S.; deleting an
108 | obsolete reference to a repealed program; providing an
109 | effective date.

110 |
111 | Be It Enacted by the Legislature of the State of Florida:
112 |

113 Section 1. Subsection (7) of section 39.0121, Florida
 114 Statutes, is amended to read:

115 39.0121 Specific rulemaking authority.—Pursuant to the
 116 requirements of s. 120.536, the department is specifically
 117 authorized to adopt, amend, and repeal administrative rules
 118 which implement or interpret law or policy, or describe the
 119 procedure and practice requirements necessary to implement this
 120 chapter, including, but not limited to, the following:

121 (7) Federal funding requirements and procedures; foster
 122 care and adoption subsidies; and subsidized independent living,
 123 ~~and subsidized child care.~~

124 Section 2. Paragraph (a) of subsection (2) of section
 125 39.202, Florida Statutes, is amended to read:

126 39.202 Confidentiality of reports and records in cases of
 127 child abuse or neglect.—

128 (2) Except as provided in subsection (4), access to such
 129 records, excluding the name of the reporter which shall be
 130 released only as provided in subsection (5), shall be granted
 131 only to the following persons, officials, and agencies:

132 (a) Employees, authorized agents, or contract providers of
 133 the department, the Department of Health, the Agency for Persons
 134 with Disabilities, or county agencies responsible for carrying
 135 out:

- 136 1. Child or adult protective investigations;
- 137 2. Ongoing child or adult protective services;
- 138 3. Early intervention and prevention services;
- 139 4. Healthy Start services;
- 140 5. Licensure or approval of adoptive homes, foster homes,

CS/CS/HB 1203

2010

141 child care facilities, facilities licensed under chapter 393, or
 142 family day care homes or informal child care providers who
 143 receive school readiness ~~subsidized child care~~ funding, or other
 144 homes used to provide for the care and welfare of children; or

145 6. Services for victims of domestic violence when provided
 146 by certified domestic violence centers working at the
 147 department's request as case consultants or with shared clients.
 148

149 Also, employees or agents of the Department of Juvenile Justice
 150 responsible for the provision of services to children, pursuant
 151 to chapters 984 and 985.

152 Section 3. Paragraph (f) of subsection (2) of section
 153 39.5085, Florida Statutes, is amended to read:

154 39.5085 Relative Caregiver Program.—

155 (2)

156 (f) Within available funding, the Relative Caregiver
 157 Program shall provide relative caregivers with family support
 158 and preservation services, flexible funds in accordance with s.
 159 409.165, school readiness ~~subsidized child care~~, and other
 160 available services in order to support the child's safety,
 161 growth, and healthy development. Children living with relative
 162 caregivers who are receiving assistance under this section shall
 163 be eligible for Medicaid coverage.

164 Section 4. Paragraph (b) of subsection (1) and subsection
 165 (2) of section 383.14, Florida Statutes, are amended to read:

166 383.14 Screening for metabolic disorders, other hereditary
 167 and congenital disorders, and environmental risk factors.—

168 (1) SCREENING REQUIREMENTS.—To help ensure access to the

169 maternal and child health care system, the Department of Health
170 shall promote the screening of all newborns born in Florida for
171 metabolic, hereditary, and congenital disorders known to result
172 in significant impairment of health or intellect, as screening
173 programs accepted by current medical practice become available
174 and practical in the judgment of the department. The department
175 shall also promote the identification and screening of all
176 newborns in this state and their families for environmental risk
177 factors such as low income, poor education, maternal and family
178 stress, emotional instability, substance abuse, and other high-
179 risk conditions associated with increased risk of infant
180 mortality and morbidity to provide early intervention,
181 remediation, and prevention services, including, but not limited
182 to, parent support and training programs, home visitation, and
183 case management. Identification, perinatal screening, and
184 intervention efforts shall begin prior to and immediately
185 following the birth of the child by the attending health care
186 provider. Such efforts shall be conducted in hospitals,
187 perinatal centers, county health departments, school health
188 programs that provide prenatal care, and birthing centers, and
189 reported to the Office of Vital Statistics.

190 (b) Postnatal screening.—A risk factor analysis using the
191 department's designated risk assessment instrument shall also be
192 conducted as part of the medical screening process upon the
193 birth of a child and submitted to the department's Office of
194 Vital Statistics for recording and other purposes provided for
195 in this chapter. The department's screening process for risk
196 assessment shall include a scoring mechanism and procedures that

197 establish thresholds for notification, further assessment,
198 referral, and eligibility for services by professionals or
199 paraprofessionals consistent with the level of risk. Procedures
200 for developing and using the screening instrument, notification,
201 referral, and care coordination services, reporting
202 requirements, management information, and maintenance of a
203 computer-driven registry in the Office of Vital Statistics which
204 ensures privacy safeguards must be consistent with the
205 provisions and plans established under chapter 411, Pub. L. No.
206 99-457, and this chapter. Procedures established for reporting
207 information and maintaining a confidential registry must include
208 a mechanism for a centralized information depository at the
209 state and county levels. The department shall coordinate with
210 existing risk assessment systems and information registries. The
211 department must ensure, to the maximum extent possible, that the
212 screening information registry is integrated with the
213 department's automated data systems, including the Florida On-
214 line Recipient Integrated Data Access (FLORIDA) system. Tests
215 and screenings must be performed by the State Public Health
216 Laboratory, in coordination with Children's Medical Services, at
217 such times and in such manner as is prescribed by the department
218 after consultation with the Genetics and Infant Screening
219 Advisory Council and the Agency for Workforce Innovation ~~State~~
220 ~~Coordinating Council for School Readiness Programs~~.

221 (2) RULES.—After consultation with the Genetics and
222 Newborn Screening Advisory Council, the department shall adopt
223 and enforce rules requiring that every newborn in this state
224 shall, prior to becoming 1 week of age, be subjected to a test

CS/CS/HB 1203

2010

225 | for phenylketonuria and, at the appropriate age, be tested for
 226 | such other metabolic diseases and hereditary or congenital
 227 | disorders as the department may deem necessary from time to
 228 | time. After consultation with the Agency for Workforce
 229 | Innovation ~~State Coordinating Council for School Readiness~~
 230 | ~~Programs~~, the department shall also adopt and enforce rules
 231 | requiring every newborn in this state to be screened for
 232 | environmental risk factors that place children and their
 233 | families at risk for increased morbidity, mortality, and other
 234 | negative outcomes. The department shall adopt such additional
 235 | rules as are found necessary for the administration of this
 236 | section and s. 383.145, including rules providing definitions of
 237 | terms, rules relating to the methods used and time or times for
 238 | testing as accepted medical practice indicates, rules relating
 239 | to charging and collecting fees for the administration of the
 240 | newborn screening program authorized by this section, rules for
 241 | processing requests and releasing test and screening results,
 242 | and rules requiring mandatory reporting of the results of tests
 243 | and screenings for these conditions to the department.

244 | Section 5. Section 402.25, Florida Statutes, is
 245 | transferred, renumbered as section 411.0106, Florida Statutes,
 246 | and amended to read:

247 | 411.0106 ~~402.25~~ Infants and toddlers in state-funded
 248 | education and care programs; brain development activities.—Each
 249 | state-funded education and care program for children from birth
 250 | to 5 years of age must provide activities to foster brain
 251 | development in infants and toddlers. A program must provide an
 252 | environment that helps children attain the performance standards

253 | adopted by the Agency for Workforce Innovation under s.
 254 | 411.01(4)(d)8. and must be rich in language and music and filled
 255 | with objects of various colors, shapes, textures, and sizes to
 256 | stimulate visual, tactile, auditory, and linguistic senses in
 257 | the children and must include classical music and at least 30
 258 | minutes of reading to the children each day. A program may be
 259 | offered through an existing early childhood program such as
 260 | Healthy Start, the Title I program, the school readiness program
 261 | ~~contracted or directly operated subsidized child care, the~~
 262 | ~~prekindergarten early intervention program, Florida First Start,~~
 263 | the Head Start program, or a private child care program. A
 264 | program must provide training for the infants' and toddlers'
 265 | parents including direct dialogue and interaction between
 266 | teachers and parents demonstrating the urgency of brain
 267 | development in the first year of a child's life. Family day care
 268 | centers are encouraged, but not required, to comply with this
 269 | section.

270 | Section 6. Subsection (5) of section 402.26, Florida
 271 | Statutes, is amended to read:

272 | 402.26 Child care; legislative intent.—

273 | (5) It is the further intent of the Legislature to provide
 274 | and make accessible child care opportunities for children at
 275 | risk, economically disadvantaged children, and other children
 276 | traditionally disenfranchised from society. In achieving this
 277 | intent, the Legislature shall develop a school readiness program
 278 | ~~subsidized child care system,~~ a range of child care options,
 279 | support services, and linkages with other programs to fully meet
 280 | the child care needs of this population.

281 Section 7. Section 402.281, Florida Statutes, is amended
 282 to read:

283 402.281 Gold Seal Quality Care program.—

284 (1) (a) There is established within the department the Gold
 285 Seal Quality Care Program.

286 (b) A child care facility facilities, large family child
 287 care home homes, or family day care home homes that is are
 288 accredited by a nationally recognized accrediting association
 289 approved by the department under subsection (3) and meets all
 290 other requirements, upon application to the department, shall
 291 receive a separate "Gold Seal Quality Care" designation.

292 (2) The department shall adopt rules establishing Gold
 293 Seal Quality Care accrediting standards based on the applicable
 294 accrediting standards of ~~whose standards substantially meet or~~
 295 ~~exceed~~ the National Association for the Education of Young
 296 Children (NAEYC), the National Association of Family Child Care,
 297 and the National Early Childhood Program Accreditation
 298 Commission ~~shall receive a separate "Gold Seal Quality Care"~~
 299 ~~designation to operate as a gold seal child care facility, large~~
 300 ~~family child care home, or family day care home.~~

301 (3) (a) ~~(2)~~ In order to be approved by the department for
 302 participation in the Gold Seal Quality Care program, an
 303 accrediting association must apply to the department and
 304 demonstrate that it:

- 305 1. Is a nationally recognized accrediting association.
- 306 2. Has accrediting standards that substantially meet or
 307 exceed the Gold Seal Quality Care accrediting standards adopted
 308 by the department under subsection (2).

CS/CS/HB 1203

2010

309 (b) In approving accrediting associations ~~developing the~~
310 ~~Gold Seal Quality Care program standards~~, the department shall
311 consult with the Department of Education, the Agency for
312 Workforce Innovation, the Florida Head Start Directors
313 Association, the Florida Association for ~~of~~ Child Care
314 Management, the Florida Family Day Care Association, the Florida
315 Children's Forum, ~~the State Coordinating Council for School~~
316 ~~Readiness Programs~~, the Early Childhood Association of Florida,
317 the ~~National Association for~~ Child Development Education
318 Alliance, providers receiving exemptions under s. 402.316, and
319 parents, ~~for the purpose of approving the accrediting~~
320 associations.

321 (4)~~(3)~~ In order to obtain and maintain a designation as a
322 Gold Seal Quality Care provider, a child care facility, large
323 family child care home, or family day care home must meet the
324 following additional criteria:

325 (a) The child care provider must not have had any class I
326 violations, as defined by rule, within the 2 years preceding its
327 application for designation as a Gold Seal Quality Care
328 provider. Commission of a class I violation shall be grounds for
329 termination of the designation as a Gold Seal Quality Care
330 provider until the provider has no class I violations for a
331 period of 2 years.

332 (b) The child care provider must not have had three or
333 more class II violations, as defined by rule, within the 2 years
334 preceding its application for designation as a Gold Seal Quality
335 Care provider. Commission of three or more class II violations
336 within a 2-year period shall be grounds for termination of the

337 designation as a Gold Seal Quality Care provider until the
 338 provider has no class II violations for a period of 1 year.

339 (c) The child care provider must not have been cited for
 340 the same class III violation, as defined by rule, three or more
 341 times within the 2 years preceding its application for
 342 designation as a Gold Seal Quality Care provider. Commission of
 343 the same class III violation three or more times during a 2-year
 344 period shall be grounds for termination of the designation as a
 345 Gold Seal Quality Care provider until the provider has no class
 346 III violations for a period of 1 year.

347 (5)~~(4)~~ The Department of Children and Family Services
 348 shall adopt rules under ss. 120.536(1) and 120.54 which provide
 349 criteria and procedures for reviewing and approving accrediting
 350 associations for participation in the Gold Seal Quality Care
 351 program, conferring and revoking designations of Gold Seal
 352 Quality Care providers, and classifying violations.

353 Section 8. Section 402.3016, Florida Statutes, is
 354 transferred and renumbered as section 411.0104, Florida
 355 Statutes.

356 Section 9. Section 402.3018, Florida Statutes, is
 357 transferred, renumbered as section 411.01015, Florida Statutes,
 358 and amended to read:

359 411.01015 ~~402.3018~~ Consultation to child care centers and
 360 family day care homes regarding health, developmental,
 361 disability, and special needs issues.-

362 (1) Contingent upon specific appropriations, the Agency
 363 for Workforce Innovation shall administer ~~department is directed~~
 364 ~~to contract with the statewide resource information and referral~~

365 ~~agency for~~ a statewide toll-free Warm-Line for the purpose of
366 providing assistance and consultation to child care centers and
367 family day care homes regarding health, developmental,
368 disability, and special needs issues of the children they are
369 serving, particularly children with disabilities and other
370 special needs.

371 (2) The purpose of the Warm-Line is to provide advice to
372 child care personnel concerning strategies, curriculum, and
373 environmental adaptations that allow a child with a disability
374 or special need to derive maximum benefit from ~~the~~ child care
375 services experience.

376 (3) The Agency for Workforce Innovation ~~department~~ shall
377 annually inform child care centers and family day care homes of
378 the availability of this service through the child care resource
379 and referral network under s. 411.0101, ~~on an annual basis~~.

380 (4) Contingent upon specific appropriations, the Agency
381 for Workforce Innovation ~~department~~ shall expand, or contract
382 for the expansion of, the Warm-Line to maintain at least one
383 Warm-Line site in each early learning coalition service area
384 ~~from one statewide site to one Warm-Line site in each child care~~
385 ~~resource and referral agency region~~.

386 (5) Each regional Warm-Line shall provide assistance and
387 consultation to child care centers and family day care homes
388 regarding health, developmental, disability, and special needs
389 issues of the children they are serving, particularly children
390 with disabilities and other special needs. Regional Warm-Line
391 staff shall provide onsite technical assistance, when requested,
392 to assist child care centers and family day care homes with

393 inquiries relative to the strategies, curriculum, and
394 environmental adaptations the child care centers and family day
395 care homes may need as they serve children with disabilities and
396 other special needs.

397 Section 10. Section 402.3051, Florida Statutes, is
398 transferred, renumbered as section 411.01013, Florida Statutes,
399 and amended to read:

400 (Substantial rewording of section. See
401 s. 402.3051, F.S., for present text.)
402 411.01013 Prevailing market rate schedule.-

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

404 (a) "Market rate" means the price that a child care
405 provider charges for daily, weekly, or monthly child care
406 services.

407 (b) "Prevailing market rate" means the annually determined
408 75th percentile of a reasonable frequency distribution of the
409 market rate in a predetermined geographic market at which child
410 care providers charge a person for child care services.

411 (2) The Agency for Workforce Innovation shall establish
412 procedures for the adoption of a prevailing market rate
413 schedule. The schedule must include, at a minimum, county-by-
414 county rates:

415 (a) At the prevailing market rate, plus the maximum rate,
416 for child care providers that hold a Gold Seal Quality Care
417 designation under s. 402.281.

418 (b) At the prevailing market rate for child care providers
419 that do not hold a Gold Seal Quality Care designation.

420 (3) The prevailing market rate schedule, at a minimum,

421 must:

422 (a) Differentiate rates by type, including, but not
423 limited to, a child care provider that holds a Gold Seal Quality
424 Care designation under s. 402.281, a child care facility
425 licensed under s. 402.305, a public or nonpublic school exempt
426 from licensure under s. 402.3025, a faith-based child care
427 facility exempt from licensure under s. 402.316 that does not
428 hold a Gold Seal Quality Care designation, a large family child
429 care home licensed under s. 402.3131, a family day care home
430 licensed or registered under s. 402.313, or an after-school
431 program that is not defined as child care under rules adopted
432 pursuant to s. 402.3045.

433 (b) Differentiate rates by the type of child care services
434 provided for children with special needs or risk categories,
435 infants, toddlers, preschool-age children, and school-age
436 children.

437 (c) Differentiate rates between full-time and part-time
438 child care services.

439 (d) Consider discounted rates for child care services for
440 multiple children in a single family.

441 (4) The prevailing market rate schedule must be based
442 exclusively on the prices charged for child care services. If a
443 conflict exists between this subsection and federal
444 requirements, the federal requirements shall control.

445 (5) An early learning coalition must consider the
446 prevailing market rate in the adoption of its payment schedule
447 in accordance with s. 411.01(5)(e)2.

448 (6) The Agency for Workforce Innovation may contract with

449 one or more qualified entities to administer this section and
 450 provide support and technical assistance for child care
 451 providers.

452 (7) The Agency for Workforce Innovation may adopt rules
 453 pursuant to ss. 120.536(1) and 120.54 to establish procedures
 454 for the collection of the market rate from child care providers,
 455 calculation of a reasonable frequency distribution of the market
 456 rate, and publication of the prevailing market rate schedule.

457 Section 11. Subsection (1) of section 402.313, Florida
 458 Statutes, is amended to read:

459 402.313 Family day care homes.—

460 (1) Family day care homes shall be licensed under this act
 461 if they are presently being licensed under an existing county
 462 licensing ordinance, ~~if they are participating in the subsidized~~
 463 ~~child care program,~~ or if the board of county commissioners
 464 passes a resolution that family day care homes be licensed. ~~If~~
 465 ~~no county authority exists for the licensing of a family day~~
 466 ~~care home, the department shall have the authority to license~~
 467 ~~family day care homes under contract for the purchase of service~~
 468 ~~system in the subsidized child care program.~~

469 (a) If not subject to license, family day care homes shall
 470 register annually with the department, providing the following
 471 information:

- 472 1. The name and address of the home.
- 473 2. The name of the operator.
- 474 3. The number of children served.
- 475 4. Proof of a written plan to provide at least one other
 476 competent adult to be available to substitute for the operator

477 in an emergency. This plan shall include the name, address, and
 478 telephone number of the designated substitute.

479 5. Proof of screening and background checks.

480 6. Proof of successful completion of the 30-hour training
 481 course, as evidenced by passage of a competency examination,
 482 which shall include:

483 a. State and local rules and regulations that govern child
 484 care.

485 b. Health, safety, and nutrition.

486 c. Identifying and reporting child abuse and neglect.

487 d. Child development, including typical and atypical
 488 language development; and cognitive, motor, social, and self-
 489 help skills development.

490 e. Observation of developmental behaviors, including using
 491 a checklist or other similar observation tools and techniques to
 492 determine a child's developmental level.

493 f. Specialized areas, including early literacy and
 494 language development of children from birth to 5 years of age,
 495 as determined by the department, for owner-operators of family
 496 day care homes.

497 7. Proof that immunization records are kept current.

498 8. Proof of completion of the required continuing
 499 education units or clock hours.

500 (b) A family day care home ~~not participating in the~~
 501 ~~subsidized child care program~~ may volunteer to be licensed under
 502 ~~the provisions of~~ this act.

503 (c) The department may provide technical assistance to
 504 counties and family day care home providers to enable counties

CS/CS/HB 1203

2010

505 and family day care providers to achieve compliance with family
 506 day care homes standards.

507 Section 12. Section 402.3135, Florida Statutes, is
 508 repealed.

509 Section 13. Section 402.3145, Florida Statutes, is
 510 transferred, renumbered as section 411.01014, Florida Statutes,
 511 and amended to read:

512 411.01014 ~~402.3145~~ School readiness ~~Subsidized child care~~
 513 transportation services ~~program.~~-

514 (1) The Agency for Workforce Innovation ~~department,~~
 515 pursuant to chapter 427, may authorize an early learning
 516 coalition to ~~shall~~ establish school readiness ~~a subsidized child~~
 517 ~~care~~ transportation services ~~system~~ for children at risk of
 518 abuse or neglect participating in the school readiness
 519 ~~subsidized child care~~ program. The early learning coalitions ~~may~~
 520 ~~state community child care coordination agencies shall~~ contract
 521 for the provision of transportation services as required by this
 522 section.

523 (2) The transportation servicers ~~may only~~ ~~system~~ shall
 524 provide transportation to each child participating in the school
 525 readiness program to the extent that such ~~subsidized child care~~
 526 ~~when, and only when,~~ transportation is necessary to provide
 527 child care opportunities that ~~which~~ otherwise would not be
 528 available to a child whose home is more than a reasonable
 529 walking distance from the nearest child care facility or family
 530 day care home.

531 Section 14. Subsection (3) of section 402.315, Florida
 532 Statutes, is amended to read:

533 402.315 Funding; license fees.—

534 (3) The department shall collect a fee for any license it
 535 issues for a child care facility, family day care home, or large
 536 family child care home pursuant to ss. 402.305, 402.313, and
 537 402.3131 s. 402.308.

538 (a) For a child care facility licensed pursuant to s.
 539 402.305, such fee shall be \$1 per child based on the licensed
 540 capacity of the facility, except that the minimum fee shall be
 541 \$25 per facility center and the maximum fee shall be \$100 per
 542 facility center.

543 (b) For a family day care home registered pursuant to s.
 544 402.313, such fee shall be \$25.

545 (c) For a family day care home licensed pursuant to s.
 546 402.313, such fee shall be \$50.

547 (d) For a large family child care home licensed pursuant
 548 to s. 402.3131, such fee shall be \$60.

549 Section 15. Subsection (6) of section 402.45, Florida
 550 Statutes, is amended to read:

551 402.45 Community resource mother or father program.—

552 (6) Individuals under contract to provide community
 553 resource mother or father services shall participate in
 554 preservice and ongoing training as determined by the Department
 555 of Health in consultation with the Agency for Workforce
 556 Innovation ~~State Coordinating Council for School Readiness~~
 557 ~~Programs~~. A community resource mother or father shall not be
 558 assigned a client caseload until all preservice training
 559 requirements are completed.

560 Section 16. Paragraph (c) of subsection (5) of section

CS/CS/HB 1203

2010

561 409.1671, Florida Statutes, is amended to read:

562 409.1671 Foster care and related services; outsourcing.—

563 (5)

564 (c) A foster home ~~dually~~ licensed ~~home~~ under s. 409.175
 565 ~~may this section shall be~~ dually licensed as a family day care
 566 home or large family child care home under chapter 402 and may
 567 eligible to receive a foster care maintenance both an out-of-
 568 home care payment and, to the extent permitted under federal
 569 law, school readiness funding a subsidized child care payment
 570 ~~for the same child pursuant to federal law.~~ The department may
 571 adopt ~~administrative~~ rules necessary to administer this
 572 paragraph.

573 Section 17. Paragraphs (a), (d), (e), (f), (g), and (h) of
 574 subsection (2) and subsections (4) through (11) of section
 575 411.01, Florida Statutes, are amended to read:

576 411.01 School readiness programs; early learning
 577 coalitions.—

578 (2) LEGISLATIVE INTENT.—

579 (a) The Legislature recognizes that school readiness
 580 programs increase children's chances of achieving future
 581 educational success and becoming productive members of society.
 582 It is the intent of the Legislature that the programs be
 583 developmentally appropriate, research-based, involve the parent
 584 ~~parents~~ as a ~~their~~ child's first teacher, serve as preventive
 585 measures for children at risk of future school failure, enhance
 586 the educational readiness of eligible children, and support
 587 family education. Each school readiness program shall provide
 588 the elements necessary to prepare at-risk children for school,

589 including health screening and referral and an appropriate
590 educational program.

591 (d) It is the intent of the Legislature that the
592 administrative staff ~~at the state level~~ for school readiness
593 programs be kept to the minimum necessary to administer the
594 duties of the Agency for Workforce Innovation and early learning
595 coalitions. The Agency for Workforce Innovation shall adopt
596 system support services at the state level to build a
597 comprehensive early learning system. Each early learning
598 coalition shall implement and maintain direct enhancement
599 services at the local level, as approved in its school readiness
600 plan by the Agency for Workforce Innovation, and ensure access
601 to such services in each county, ~~as the school readiness~~
602 ~~programs are to be regionally designed, operated, and managed,~~
603 ~~with the Agency for Workforce Innovation developing school~~
604 ~~readiness program performance standards and outcome measures and~~
605 ~~approving and reviewing early learning coalitions and school~~
606 ~~readiness plans.~~

607 ~~(e) It is the intent of the Legislature that~~
608 ~~appropriations for combined school readiness programs shall not~~
609 ~~be less than the programs would receive in any fiscal year on an~~
610 ~~uncombined basis.~~

611 (e)-(f) It is the intent of the Legislature that the school
612 readiness program coordinate and operate in conjunction with the
613 district school systems. However, it is also the intent of the
614 Legislature that the school readiness program not be construed
615 as part of the system of free public schools but rather as a
616 separate program for children under the age of kindergarten

617 eligibility, funded separately from the system of free public
 618 schools, utilizing a mandatory sliding fee scale, and providing
 619 an integrated and seamless system of school readiness services
 620 for the state's birth-to-kindergarten population.

621 ~~(g) It is the intent of the Legislature that the federal~~
 622 ~~child care income tax credit be preserved for school readiness~~
 623 ~~programs.~~

624 (f) ~~(h)~~ It is the intent of the Legislature that school
 625 readiness services ~~shall~~ be an integrated and seamless program
 626 ~~system~~ of services with a developmentally appropriate education
 627 component for the state's eligible birth-to-kindergarten
 628 population described in subsection (6) and ~~shall~~ not be
 629 construed as part of the seamless K-20 education system.

630 (4) AGENCY FOR WORKFORCE INNOVATION.—

631 (a) The Agency for Workforce Innovation shall administer
 632 school readiness programs at the state level and shall
 633 coordinate with the early learning coalitions in providing
 634 school readiness services on a full-day, full-year, full-choice
 635 basis to the extent possible in order to enable parents to work
 636 and be financially self-sufficient.

637 (b) The Agency for Workforce Innovation shall:

638 1. Coordinate the birth-to-kindergarten services for
 639 children who are eligible under subsection (6) and the
 640 programmatic, administrative, and fiscal standards under this
 641 section for all public providers of school readiness programs.

642 ~~2. Continue to provide unified leadership for school~~
 643 ~~readiness through early learning coalitions.~~

644 ~~2.3.~~ 2.3. Focus on improving the educational quality of all

CS/CS/HB 1203

2010

645 program providers participating in publicly funded school
646 readiness programs.

647 (c) The Governor shall designate the Agency for Workforce
648 Innovation as the lead agency for ~~purposes of~~ administration of
649 the federal Child Care and Development Fund, 45 C.F.R. parts 98
650 and 99, and the agency for Workforce Innovation may be
651 ~~designated by the Governor as the lead agency and, if so~~
652 ~~designated,~~ shall comply with the lead agency responsibilities
653 under federal law.

654 (d) The Agency for Workforce Innovation shall:

655 1. Be responsible for the prudent use of all public and
656 private funds in accordance with all legal and contractual
657 requirements.

658 2. Provide final approval and every 2 years ~~periodic~~
659 review ~~of~~ early learning coalitions and school readiness plans.

660 3. Establish ~~Provide leadership for the enhancement of~~
661 ~~school readiness in this state by aggressively establishing a~~
662 unified approach to the state's efforts toward enhancement of
663 school readiness. In support of this effort, the Agency for
664 Workforce Innovation shall adopt ~~may develop and implement~~
665 specific system support services ~~strategies~~ that address the
666 state's school readiness programs. An early learning coalition
667 shall amend its school readiness plan to conform to the specific
668 system support services adopted by the Agency for Workforce
669 Innovation. System support services shall include, but are not
670 limited to:

671 a. Child care resource and referral services;

672 b. Warm-Line services;

- 673 | c. Eligibility determinations;
- 674 | d. Child performance standards;
- 675 | e. Child screening and assessment;
- 676 | f. Developmentally appropriate curricula;
- 677 | g. Health and safety requirements;
- 678 | h. Statewide data system requirements; and
- 679 | i. Rating and improvement systems.

680 | 4. Safeguard the effective use of federal, state, local,
 681 | and private resources to achieve the highest possible level of
 682 | school readiness for the children in this state.

683 | 5. Adopt a rule establishing criteria for the expenditure
 684 | of funds designated for the purpose of funding activities to
 685 | improve the quality of child care within the state in accordance
 686 | with s. 658G of the federal Child Care and Development Block
 687 | Grant Act.

688 | ~~6.5.~~ Provide technical assistance to early learning
 689 | coalitions in a manner determined by the Agency for Workforce
 690 | Innovation based upon information obtained by the agency from
 691 | various sources, including, but not limited to, public input,
 692 | government reports, private interest group reports, agency
 693 | monitoring visits, and coalition requests for service.

694 | 7. In cooperation with the Department of Education and
 695 | early learning coalitions, coordinate with the Child Care
 696 | Services Program Office of the Department of Children and Family
 697 | Services to minimize duplicating interagency activities, health
 698 | and safety monitoring, and acquiring and composing data
 699 | pertaining to child care training and credentialing.

700 | ~~6. Assess gaps in service.~~

701 ~~7. Provide technical assistance to counties that form a~~
 702 ~~multicounty region served by an early learning coalition.~~

703 8. Develop and adopt performance standards and outcome
 704 measures for school readiness programs. The performance
 705 standards must address the age-appropriate progress of children
 706 in the development of ~~the~~ school readiness skills ~~required under~~
 707 ~~paragraph (j)~~. The performance standards for children from birth
 708 to 5 ~~3~~ years of age in school readiness programs must be
 709 integrated with the performance standards adopted by the
 710 Department of Education for children in the Voluntary
 711 Prekindergarten Education Program under s. 1002.67.

712 9. Adopt a standard contract that must be used by the
 713 coalitions when contracting with school readiness providers.

714 (e) The Agency for Workforce Innovation may adopt rules
 715 under ss. 120.536(1) and 120.54 to administer the provisions of
 716 law conferring duties upon the agency, including, but not
 717 limited to, rules governing the administration of system support
 718 services ~~preparation and implementation of the~~ school readiness
 719 programs ~~system~~, the collection of data, the approval of early
 720 learning coalitions and school readiness plans, the provision of
 721 a method whereby an early learning coalition may serve two or
 722 more counties, the award of incentives to early learning
 723 coalitions, child performance standards, child outcome measures,
 724 ~~and~~ the issuance of waivers, and the implementation of the
 725 state's Child Care and Development Fund Plan as approved by the
 726 federal Administration for Children and Families.

727 (f) The Agency for Workforce Innovation shall have all
 728 powers necessary to administer this section, including, but not

729 limited to, the power to receive and accept grants, loans, or
 730 advances of funds from any public or private agency and to
 731 receive and accept from any source contributions of money,
 732 property, labor, or any other thing of value, to be held, used,
 733 and applied for purposes of this section.

734 (g) Except as provided by law, the Agency for Workforce
 735 Innovation may not impose requirements on a child care or early
 736 childhood education provider that does not deliver services
 737 under the ~~a~~ school readiness programs ~~program~~ or receive state
 738 or federal funds under this section.

739 (h) The Agency for Workforce Innovation shall have a
 740 budget for ~~the~~ school readiness programs ~~system~~, which shall be
 741 financed through an annual appropriation made for purposes of
 742 this section in the General Appropriations Act.

743 (i) The Agency for Workforce Innovation shall coordinate
 744 the efforts toward school readiness in this state and provide
 745 independent policy analyses, data analyses, and recommendations
 746 to the Governor, the State Board of Education, and the
 747 Legislature.

748 (j) The Agency for Workforce Innovation shall require that
 749 ~~each early learning coalition's~~ school readiness programs
 750 ~~program must~~, at a minimum, enhance the age-appropriate progress
 751 of each child in attaining the performance standards adopted
 752 under subparagraph (d)8. and in the development of the following
 753 school readiness skills:

- 754 1. Compliance with rules, limitations, and routines.
- 755 2. Ability to perform tasks.
- 756 3. Interactions with adults.

- 757 4. Interactions with peers.
- 758 5. Ability to cope with challenges.
- 759 6. Self-help skills.
- 760 7. Ability to express the child's needs.
- 761 8. Verbal communication skills.
- 762 9. Problem-solving skills.
- 763 10. Following of verbal directions.
- 764 11. Demonstration of curiosity, persistence, and
- 765 exploratory behavior.
- 766 12. Interest in books and other printed materials.
- 767 13. Paying attention to stories.
- 768 14. Participation in art and music activities.
- 769 15. Ability to identify colors, geometric shapes, letters
- 770 of the alphabet, numbers, and spatial and temporal
- 771 relationships.

772

773 Within 30 days after enrollment ~~The Agency for Workforce~~

774 ~~Innovation shall also require that, before a child is enrolled~~

775 ~~in the an early learning coalition's~~ school readiness program,

776 the early learning coalition must ensure that the program

777 provider obtains information ~~is obtained by the coalition or the~~

778 ~~school readiness provider~~ regarding the child's immunizations,

779 physical development, and other health requirements as

780 necessary, including appropriate vision and hearing screening

781 and examinations. For a program provider licensed by the

782 Department of Children and Family Services, the provider's

783 compliance with s. 402.305(9), as verified pursuant to s.

784 402.311, shall satisfy this requirement.

785 (k) The Agency for Workforce Innovation shall conduct
786 studies and planning activities related to the overall
787 improvement and effectiveness of the outcome measures adopted by
788 the agency for school readiness programs and the specific system
789 support service strategies to address the state's school
790 readiness programs adopted by the Agency for Workforce
791 Innovation in accordance with subparagraph (d)3.

792 (l) The Agency for Workforce Innovation shall monitor and
793 evaluate the performance of each early learning coalition in
794 administering the school readiness program, implementing the
795 coalition's school readiness plan, and administering the
796 Voluntary Prekindergarten Education Program. These monitoring
797 and performance evaluations must include, at a minimum, onsite
798 monitoring of each coalition's finances, management, operations,
799 and programs.

800 ~~(m) The Agency for Workforce Innovation shall identify~~
801 ~~best practices of early learning coalitions in order to improve~~
802 ~~the outcomes of school readiness programs.~~

803 (m) ~~(n)~~ The Agency for Workforce Innovation shall submit an
804 annual report of its activities conducted under this section to
805 the Governor, ~~the executive director of the Florida Healthy Kids~~
806 ~~Corporation,~~ the President of the Senate, the Speaker of the
807 House of Representatives, and the minority leaders of both
808 houses of the Legislature. In addition, the Agency for Workforce
809 Innovation's reports and recommendations shall be made available
810 to ~~the State Board of Education,~~ the Florida Early Learning
811 Advisory Council and, other appropriate state agencies and
812 entities, ~~district school boards, central agencies, and county~~

813 ~~health departments.~~ The annual report must provide an analysis
 814 of school readiness activities across the state, including the
 815 number of children who were served in the programs.

816 (n) ~~(e)~~ The Agency for Workforce Innovation shall work with
 817 the early learning coalitions to ensure availability of training
 818 and support for parental ~~increase parents' training for and~~
 819 involvement in ~~their~~ children's early preschool education and to
 820 provide family literacy activities and services ~~programs.~~

821 (5) CREATION OF EARLY LEARNING COALITIONS.—

822 (a) Early learning coalitions.—

823 1. Each early learning coalition shall maintain direct
 824 enhancement services at the local level and ensure access to
 825 such services in each county.

826 2.1. ~~2.1.~~ The Agency for Workforce Innovation shall establish
 827 the minimum number of children to be served by each early
 828 learning coalition through the coalition's school readiness
 829 program. The Agency for Workforce Innovation may only approve
 830 school readiness plans in accordance with this minimum number.
 831 The minimum number must be uniform for every early learning
 832 coalition and must:

- 833 a. Permit 31 ~~30~~ or fewer coalitions to be established; and
- 834 b. Require each coalition to serve at least 2,000 children
 835 based upon the average number of all children served per month
 836 through the coalition's school readiness program during the
 837 previous 12 months.

838

839 ~~The Agency for Workforce Innovation shall adopt procedures for~~
 840 ~~merging early learning coalitions, including procedures for the~~

841 ~~consolidation of merging coalitions, and for the early~~
842 ~~termination of the terms of coalition members which are~~
843 ~~necessary to accomplish the mergers. Each early learning~~
844 ~~coalition must comply with the merger procedures and shall be~~
845 ~~organized in accordance with this subparagraph by April 1, 2005.~~
846 ~~By June 30, 2005, each coalition must complete the transfer of~~
847 ~~powers, duties, functions, rules, records, personnel, property,~~
848 ~~and unexpended balances of appropriations, allocations, and~~
849 ~~other funds to the successor coalition, if applicable.~~

850 3.2. If an early learning coalition would serve fewer
851 children than the minimum number established under subparagraph
852 2. 1., the coalition must merge with another county to form a
853 multicounty coalition. The Agency for Workforce Innovation shall
854 adopt procedures for merging early learning coalitions,
855 including procedures for the consolidation of merging
856 coalitions, and for the early termination of the terms of
857 coalition members which are necessary to accomplish the mergers.
858 However, the Agency for Workforce Innovation shall grant a
859 waiver to ~~may authorize~~ an early learning coalition to serve
860 fewer children than the minimum number established under
861 subparagraph 1., if:

862 ~~a. The coalition demonstrates to the Agency for Workforce~~
863 ~~Innovation that merging with another county or multicounty~~
864 ~~region contiguous to the coalition would cause an extreme~~
865 ~~hardship on the coalition;~~

866 ~~a.b.~~ The Agency for Workforce Innovation has determined
867 during the most recent ~~annual~~ review of the coalition's school
868 readiness plan, or through monitoring and performance

CS/CS/HB 1203

2010

869 evaluations conducted under paragraph (4)(1), that the coalition
870 has substantially implemented its plan ~~and substantially met the~~
871 ~~performance standards and outcome measures adopted by the~~
872 ~~agency~~; and

873 b.e. The coalition demonstrates to the Agency for
874 Workforce Innovation the coalition's ability to effectively and
875 efficiently implement the Voluntary Prekindergarten Education
876 Program.

877 c. The coalition demonstrates to the Agency for Workforce
878 Innovation that the coalition can perform its duties in
879 accordance with law.

880
881 If an early learning coalition fails or refuses to merge as
882 required by this subparagraph, the Agency for Workforce
883 Innovation may dissolve the coalition and temporarily contract
884 with a qualified entity to continue school readiness and
885 prekindergarten services in the coalition's county or
886 multicounty region until the agency reestablishes the coalition
887 and a new ~~is reestablished through resubmission of a school~~
888 readiness plan is approved ~~and approval~~ by the agency.

889 ~~3. Notwithstanding the provisions of subparagraphs 1. and~~
890 ~~2., the early learning coalitions in Sarasota, Osceola, and~~
891 ~~Santa Rosa Counties which were in operation on January 1, 2005,~~
892 ~~are established and authorized to continue operation as~~
893 ~~independent coalitions, and shall not be counted within the~~
894 ~~limit of 30 coalitions established in subparagraph 1.~~

895 4. Each early learning coalition shall be composed of at
896 least 15 ~~18~~ members but not more than 30 ~~35~~ members. The Agency

897 | for Workforce Innovation shall adopt standards establishing
 898 | within this range the minimum and maximum number of members that
 899 | may be appointed to an early learning coalition and procedures
 900 | for identifying which members have voting privileges under
 901 | subparagraph 6. These standards must include variations for a
 902 | coalition serving a multicounty region. Each early learning
 903 | coalition must comply with these standards.

904 | 5. The Governor shall appoint the chair and two other
 905 | members of each early learning coalition, who must each meet the
 906 | same qualifications as private sector business members appointed
 907 | by the coalition under subparagraph 7.

908 | 6. Each early learning coalition must include the
 909 | following member positions; however, in a multicounty coalition,
 910 | each ex officio member position may be filled by multiple
 911 | nonvoting members but no more than one voting member shall be
 912 | seated per member position. If an early learning coalition has
 913 | more than one member representing the same entity, only one of
 914 | such members may serve as a voting member ~~members:~~

915 | a. A Department of Children and Family Services circuit
 916 | ~~district~~ administrator or his or her designee who is authorized
 917 | to make decisions on behalf of the department.

918 | b. A district superintendent of schools or his or her
 919 | designee who is authorized to make decisions on behalf of the
 920 | district, ~~who shall be a nonvoting member.~~

921 | c. A regional workforce board executive director or his or
 922 | her designee.

923 | d. A county health department director or his or her
 924 | designee.

925 e. A children's services council or juvenile welfare board
 926 chair or executive director, if applicable, ~~who shall be a~~
 927 ~~nonvoting member if the council or board is the fiscal agent of~~
 928 ~~the coalition or if the council or board contracts with and~~
 929 ~~receives funds from the coalition for any purpose other than~~
 930 ~~rent.~~

931 f. An agency head of a local licensing agency as defined
 932 in s. 402.302, where applicable.

933 g. A president of a community college or his or her
 934 designee.

935 h. One member appointed by a board of county commissioners
 936 or the governing board of a municipality.

937 ~~i. A central agency administrator, where applicable, who~~
 938 ~~shall be a nonvoting member.~~

939 ~~i.j. A Head Start director, who shall be a nonvoting~~
 940 ~~member.~~

941 ~~j.k. A representative of private for-profit child care~~
 942 ~~providers, including private for-profit family day care homes,~~
 943 ~~who shall be a nonvoting member.~~

944 ~~k.l. A representative of faith-based child care providers,~~
 945 ~~who shall be a nonvoting member.~~

946 ~~l.m. A representative of programs for children with~~
 947 ~~disabilities under the federal Individuals with Disabilities~~
 948 ~~Education Act, who shall be a nonvoting member.~~

949 7. Including the members appointed by the Governor under
 950 subparagraph 5., more than one-third of the members of each
 951 early learning coalition must be private sector business members
 952 who do not have, and none of whose relatives as defined in s.

953 | 112.3143 has, a substantial financial interest in the design or
954 | delivery of the Voluntary Prekindergarten Education Program
955 | created under part V of chapter 1002 or the coalition's school
956 | readiness program. To meet this requirement an early learning
957 | coalition must appoint additional members ~~from a list of~~
958 | ~~nominees submitted to the coalition by a chamber of commerce or~~
959 | ~~economic development council within the geographic region served~~
960 | ~~by the coalition.~~ The Agency for Workforce Innovation shall
961 | establish criteria for appointing private sector business
962 | members. These criteria must include standards for determining
963 | whether a member or relative has a substantial financial
964 | interest in the design or delivery of the Voluntary
965 | Prekindergarten Education Program or the coalition's school
966 | readiness program.

967 | 8. A majority of the voting membership of an early
968 | learning coalition constitutes a quorum required to conduct the
969 | business of the coalition. An early learning coalition board may
970 | use any method of telecommunications to conduct meetings,
971 | including establishing a quorum through telecommunications,
972 | provided that the public is given proper notice of a
973 | telecommunications meeting and reasonable access to observe and,
974 | when appropriate, participate.

975 | 9. A voting member of an early learning coalition may not
976 | appoint a designee to act in his or her place, except as
977 | otherwise provided in this paragraph. A voting member may send a
978 | representative to coalition meetings, but that representative
979 | does not have voting privileges. When a district administrator
980 | for the Department of Children and Family Services appoints a

981 | designee to an early learning coalition, the designee is the
 982 | voting member of the coalition, and any individual attending in
 983 | the designee's place, including the district administrator, does
 984 | not have voting privileges.

985 | 10. Each member of an early learning coalition is subject
 986 | to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
 987 | 112.3143(3)(a), each voting member is a local public officer who
 988 | must abstain from voting when a voting conflict exists.

989 | 11. For purposes of tort liability, each member or
 990 | employee of an early learning coalition shall be governed by s.
 991 | 768.28.

992 | 12. An early learning coalition serving a multicounty
 993 | region must include representation from each county.

994 | 13. Each early learning coalition shall establish terms
 995 | for all appointed members of the coalition. The terms must be
 996 | staggered and must be a uniform length that does not exceed 4
 997 | years per term. Coalition chairs shall be appointed for 4 years
 998 | in conjunction with their membership on the Early Learning
 999 | Advisory Council under s. 20.052. Appointed members may serve a
 1000 | maximum of two consecutive terms. When a vacancy occurs in an
 1001 | appointed position, the coalition must advertise the vacancy.

1002 | (b) Limitation.—Except as provided by law, the early
 1003 | learning coalitions may not impose requirements on a child care
 1004 | or early childhood education provider that does not deliver
 1005 | services under the school readiness programs or receive state,
 1006 | federal, required maintenance of effort, or matching funds under
 1007 | this section.

1008 | ~~(b) Program participation.—The school readiness program~~

1009 ~~shall be established for children from birth to the beginning of~~
 1010 ~~the school year for which a child is eligible for admission to~~
 1011 ~~kindergarten in a public school under s. 1003.21(1)(a)2. The~~
 1012 ~~program shall be administered by the early learning coalition.~~
 1013 ~~Within funding limitations, the early learning coalition, along~~
 1014 ~~with all providers, shall make reasonable efforts to accommodate~~
 1015 ~~the needs of children for extended day and extended year~~
 1016 ~~services without compromising the quality of the program.~~

1017 (c) Program expectations.—

1018 1. The school readiness program must meet the following
 1019 expectations:

1020 a. The program must, at a minimum, enhance the age-
 1021 appropriate progress of each child in attaining ~~the development~~
 1022 ~~of the school readiness skills required under paragraph (4)(j),~~
 1023 ~~as measured by~~ the performance standards and outcome measures
 1024 adopted by the Agency for Workforce Innovation.

1025 b. The program must provide extended-day and extended-year
 1026 services to the maximum extent possible without compromising the
 1027 quality of the program to meet the needs of parents who work.

1028 c. The program ~~There~~ must provide a ~~be~~ coordinated
 1029 professional staff development system that supports the
 1030 achievement and maintenance of core competencies by school
 1031 readiness instructors in helping children attain the performance
 1032 standards and outcome measures adopted by the Agency for
 1033 Workforce Innovation ~~and teaching opportunities.~~

1034 d. There must be expanded access to community services and
 1035 resources for families to help achieve economic self-
 1036 sufficiency.

1037 e. There must be a single point of entry and unified
 1038 waiting list. As used in this sub-subparagraph, the term "single
 1039 point of entry" means an integrated information system that
 1040 allows a parent to enroll his or her child in the school
 1041 readiness program at various locations throughout a the county
 1042 ~~or multicounty region served by an early learning coalition,~~
 1043 that may allow a parent to enroll his or her child by telephone
 1044 or through an Internet website, and that uses a unified waiting
 1045 list to track eligible children waiting for enrollment in the
 1046 school readiness program. The Agency for Workforce Innovation
 1047 shall establish through technology a single statewide
 1048 information system that each coalition must use for the purposes
 1049 of managing the integrates each early learning coalition's
 1050 single point of entry, tracking children's progress,
 1051 coordinating services among stakeholders, determining
 1052 eligibility, tracking child attendance, and streamlining
 1053 administrative processes for providers and early learning
 1054 coalitions and each coalition must use the statewide system.

1055 f. The Agency for Workforce Innovation must consider the
 1056 access of eligible children to the school readiness program, as
 1057 demonstrated in part by waiting lists, before approving a
 1058 proposed increase in payment rates submitted by an early
 1059 learning coalition. In addition, early learning coalitions shall
 1060 use school readiness funds made available due to enrollment
 1061 shifts from school readiness programs to the Voluntary
 1062 Prekindergarten Education Program for increasing the number of
 1063 children served in school readiness programs before increasing
 1064 payment rates.

CS/CS/HB 1203

2010

1065 ~~g. There must be a community plan to address the needs of~~
1066 ~~all eligible children.~~

1067 g.h. The program must meet all state licensing guidelines,
1068 where applicable.

1069 h. The program must ensure that minimum standards for
1070 child discipline practices are age-appropriate. Such standards
1071 must provide that children not be subjected to discipline that
1072 is severe, humiliating, or frightening or discipline that is
1073 associated with food, rest, or toileting. Spanking or any other
1074 form of physical punishment is prohibited.

1075 2. Each ~~The~~ early learning coalition must implement a
1076 comprehensive program of school readiness services in accordance
1077 with the rules adopted by the agency which ~~that~~ enhance the
1078 cognitive, social, and physical development of children to
1079 achieve the performance standards and outcome measures ~~adopted~~
1080 ~~by the agency for Workforce Innovation~~. At a minimum, these
1081 programs must contain the following system support service
1082 elements:

1083 a. Developmentally appropriate curriculum designed to
1084 enhance the age-appropriate progress of children in attaining
1085 the performance standards adopted by the Agency for Workforce
1086 Innovation under subparagraph (4)(d)8.

1087 b. A character development program to develop basic
1088 values.

1089 c. An age-appropriate screening ~~assessment~~ of each child's
1090 development.

1091 d. An age-appropriate assessment ~~A pretest~~ administered to
1092 children when they enter a program and an age-appropriate

1093 assessment ~~a posttest~~ administered to children when they leave
 1094 the program.

1095 e. An appropriate staff-to-children ratio, pursuant to s.
 1096 402.305(4) or s. 402.302(7) or (8), as applicable, and as
 1097 verified pursuant to s. 402.311.

1098 f. A healthy and safe environment pursuant to s.
 1099 401.305(5), (6), and (7), as applicable, and as verified
 1100 pursuant to s. 402.311.

1101 g. A resource and referral network established under s.
 1102 411.0101 to assist parents in making an informed choice and a
 1103 regional Warm-Line under s. 411.01015.

1104
 1105 The Agency for Workforce Innovation, the Department of
 1106 Education, and early learning coalitions shall coordinate with
 1107 the Child Care Services Program Office of the Department of
 1108 Children and Family Services to minimize duplicating interagency
 1109 activities pertaining to acquiring and composing data for child
 1110 care training and credentialing.

1111 (d) Implementation.—

1112 1. An early learning coalition may not implement the
 1113 school readiness program until the coalition is authorized
 1114 through approval of the coalition's school readiness plan by the
 1115 Agency for Workforce Innovation.

1116 2. Each early learning coalition shall coordinate with one
 1117 another to implement a comprehensive program of school readiness
 1118 services which enhances the cognitive, social, physical, and
 1119 moral character of the children to achieve the performance
 1120 standards and outcome measures and which helps families achieve

1121 economic self-sufficiency. Such program must contain, at a
1122 minimum, the following elements: ~~develop a plan for implementing~~

1123 a. Implement the school readiness program to meet the
1124 requirements of this section and the system support services,
1125 performance standards, and outcome measures adopted by the
1126 Agency for Workforce Innovation.

1127 b. ~~The plan must~~ Demonstrate how the program will ensure
1128 that each ~~3-year-old and 4-year-old~~ child from birth through 5
1129 years of age in a publicly funded school readiness program
1130 receives scheduled activities and instruction designed to
1131 enhance the age-appropriate progress of the children in
1132 attaining the performance standards adopted by the Agency for
1133 Workforce Innovation under subparagraph (4) (d)8.

1134 c. Ensure that the coalition has solicited and considered
1135 comments regarding the proposed school readiness plan from the
1136 local community.

1137

1138 Before implementing the school readiness program, the early
1139 learning coalition must submit the plan to the Agency for
1140 Workforce Innovation for approval. The Agency for Workforce
1141 Innovation may approve the plan, reject the plan, or approve the
1142 plan with conditions. The Agency for Workforce Innovation shall
1143 review school readiness plans at least every 2 years ~~annually~~.

1144 3. If the Agency for Workforce Innovation determines
1145 during the ~~annual~~ review of school readiness plans, or through
1146 monitoring and performance evaluations conducted under paragraph
1147 (4) (1), that an early learning coalition has not substantially
1148 implemented its plan, has not substantially met the performance

CS/CS/HB 1203

2010

1149 standards and outcome measures adopted by the agency, or has not
1150 effectively administered the school readiness program or
1151 Voluntary Prekindergarten Education Program, the Agency for
1152 Workforce Innovation may dissolve the coalition and temporarily
1153 contract with a qualified entity to continue school readiness
1154 and prekindergarten services in the coalition's county or
1155 multicounty region until the agency reestablishes the coalition
1156 and a new ~~the coalition is reestablished through resubmission of~~
1157 ~~a school readiness plan~~ is approved in accordance with the rules
1158 adopted and approval by the agency.

1159 4. The Agency for Workforce Innovation shall adopt rules
1160 establishing criteria for the approval of school readiness
1161 plans. The criteria must be consistent with the system support
1162 services, performance standards, and outcome measures adopted by
1163 the agency and must require each approved plan to include the
1164 following minimum standards and provisions for the school
1165 readiness program:

1166 a. A community plan that addresses the needs of all
1167 children and providers within the coalition's county or
1168 multicounty region.

1169 ~~b.a.~~ A sliding fee scale establishing a copayment for
1170 parents based upon their ability to pay, which is the same for
1171 all program providers, ~~to be implemented and reflected in each~~
1172 ~~program's budget.~~

1173 ~~c.b.~~ A choice of settings and locations in licensed,
1174 registered, religious-exempt, or school-based programs to be
1175 provided to parents.

1176 ~~e. Instructional staff who have completed the training~~

CS/CS/HB 1203

2010

1177 ~~course as required in s. 402.305(2)(d)1., as well as staff who~~
 1178 ~~have additional training or credentials as required by the~~
 1179 ~~Agency for Workforce Innovation. The plan must provide a method~~
 1180 ~~for assuring the qualifications of all personnel in all program~~
 1181 ~~settings.~~

1182 d. Specific eligibility priorities for children ~~within the~~
 1183 ~~early learning coalition's county or multicounty region in~~
 1184 ~~accordance with subsection (6).~~

1185 e. Performance standards and outcome measures adopted by
 1186 the Agency for Workforce Innovation.

1187 f. Payment rates adopted by the early learning coalitions
 1188 ~~coalition~~ and approved by the Agency for Workforce Innovation.
 1189 Payment rates may not have the effect of limiting parental
 1190 choice or creating standards or levels of services that have not
 1191 been expressly established ~~authorized~~ by the Legislature, unless
 1192 the creation of such standards or levels of service, which must
 1193 be uniform throughout the state, is approved by the Federal
 1194 Government and results in the state being eligible to receive
 1195 additional federal funds available for early learning on a
 1196 statewide basis.

1197 ~~g. Systems support services, including a central agency,~~
 1198 ~~child care resource and referral, eligibility determinations,~~
 1199 ~~training of providers, and parent support and involvement.~~

1200 ~~g.h.~~ Direct enhancement services for ~~to~~ families and
 1201 children. System support and direct enhancement services shall
 1202 be in addition to payments for the placement of children in
 1203 school readiness programs. Direct enhancement services for
 1204 families may include parent training and involvement activities

1205 and strategies to meet the needs of unique populations and local
 1206 eligibility priorities. Enhancement services for children may
 1207 include provider supports and professional development approved
 1208 in the plan by the Agency for Workforce Innovation.

1209 h.i. The business organization of the early learning
 1210 coalition, which must include the coalition's articles of
 1211 incorporation and bylaws if the coalition is organized as a
 1212 corporation. If the coalition is not organized as a corporation
 1213 or other business entity, the plan must include the contract
 1214 with a fiscal agent. An early learning coalition may contract
 1215 with other coalitions to achieve efficiency in multicounty
 1216 services, and these contracts may be part of the coalition's
 1217 school readiness plan.

1218 i. The implementation of locally developed quality
 1219 programs in accordance with the requirements adopted by the
 1220 agency under subparagraph (4) (d) 5.

1221 ~~j. Strategies to meet the needs of unique populations,~~
 1222 ~~such as migrant workers.~~

1223
 1224 ~~As part of the school readiness plan,~~ The Agency for Workforce
 1225 Innovation ~~early learning coalition~~ may request the Governor to
 1226 apply for a waiver to allow the coalition to administer the Head
 1227 Start Program to accomplish the purposes of the school readiness
 1228 program. ~~If a school readiness plan demonstrates that specific~~
 1229 ~~statutory goals can be achieved more effectively by using~~
 1230 ~~procedures that require modification of existing rules,~~
 1231 ~~policies, or procedures, a request for a waiver to the Agency~~
 1232 ~~for Workforce Innovation may be submitted as part of the plan.~~

1233 ~~Upon review, the Agency for Workforce Innovation may grant the~~
 1234 ~~proposed modification.~~

1235 5. Persons with an early childhood teaching certificate
 1236 may provide support and supervision to other staff in the school
 1237 readiness program.

1238 6. An early learning coalition may not implement its
 1239 school readiness plan until it submits the plan to and receives
 1240 approval from the Agency for Workforce Innovation. Once the plan
 1241 is approved, the plan and the services provided under the plan
 1242 shall be controlled by the early learning coalition. The plan
 1243 shall be reviewed and revised as necessary, but at least
 1244 biennially. An early learning coalition may not implement the
 1245 revisions until the coalition submits the revised plan to and
 1246 receives approval from the Agency for Workforce Innovation. If
 1247 the Agency for Workforce Innovation rejects a revised plan, the
 1248 coalition must continue to operate under its prior approved
 1249 plan.

1250 7. Sections 125.901(2)(a)3., 411.221, and 411.232 do not
 1251 apply to ~~an early learning coalition with an approved school~~
 1252 ~~readiness programs plan.~~ The Agency for Workforce Innovation ~~To~~
 1253 ~~facilitate innovative practices and to allow the regional~~
 1254 ~~establishment of school readiness programs, an early learning~~
 1255 ~~coalition~~ may apply to the Governor and Cabinet for a waiver of,
 1256 and the Governor and Cabinet may waive, any of the provisions of
 1257 ss. 411.223, 411.232, and 1003.54, if the waiver is necessary
 1258 for implementation of ~~the coalition's~~ school readiness programs
 1259 plan.

1260 8. Two or more early learning coalitions ~~counties~~ may join

1261 for purposes of planning and implementing a school readiness
 1262 program.

1263 ~~9. An early learning coalition may, subject to approval by~~
 1264 ~~The Agency for Workforce Innovation as part of the coalition's~~
 1265 ~~school readiness plan, receive subsidized child care funds for~~
 1266 ~~all children eligible for any federal subsidized child care~~
 1267 ~~program.~~

1268 ~~10. An early learning coalition may enter into multiparty~~
 1269 ~~contracts with multicounty service providers in order to meet~~
 1270 ~~the needs of unique populations such as migrant workers.~~

1271 (e) Requests for proposals; payment schedule.-

1272 1. Each early learning coalition must comply with the
 1273 procurement and expenditure procedures adopted by the Agency for
 1274 Workforce Innovation, including, but not limited to, applying
 1275 the procurement and expenditure procedures required by federal
 1276 law for the expenditure of federal funds s. 287.057 for the
 1277 procurement of commodities or contractual services from the
 1278 funds described in paragraph (9) (d). ~~The period of a contract~~
 1279 ~~for purchase of these commodities or contractual services,~~
 1280 ~~together with any renewal of the original contract, may not~~
 1281 ~~exceed 3 years.~~

1282 2. Each early learning coalition shall adopt a payment
 1283 schedule that encompasses all programs funded ~~by the coalition~~
 1284 under this section. The payment schedule must take into
 1285 consideration the prevailing ~~relevant~~ market rate, must include
 1286 the projected number of children to be served, and must be
 1287 submitted for approval by the Agency for Workforce Innovation.
 1288 Informal child care arrangements shall be reimbursed at not more

1289 than 50 percent of the rate adopted ~~developed~~ for a family day
 1290 care home.

1291 ~~(f) Requirements relating to fiscal agents.—If an early~~
 1292 ~~learning coalition is not legally organized as a corporation or~~
 1293 ~~other business entity, the coalition must designate a fiscal~~
 1294 ~~agent, which may be a public entity, a private nonprofit~~
 1295 ~~organization, or a certified public accountant who holds a~~
 1296 ~~license under chapter 473. The fiscal agent must provide~~
 1297 ~~financial and administrative services under a contract with the~~
 1298 ~~early learning coalition. The fiscal agent may not provide~~
 1299 ~~direct early childhood education or child care services;~~
 1300 ~~however, a fiscal agent may provide those services upon written~~
 1301 ~~request of the early learning coalition to the Agency for~~
 1302 ~~Workforce Innovation and upon the approval of the request by the~~
 1303 ~~agency. The cost of the financial and administrative services~~
 1304 ~~shall be negotiated between the fiscal agent and the early~~
 1305 ~~learning coalition. If the fiscal agent is a provider of early~~
 1306 ~~childhood education and child care programs, the contract must~~
 1307 ~~specify that the fiscal agent shall act on policy direction from~~
 1308 ~~the early learning coalition and must not receive policy~~
 1309 ~~direction from its own corporate board regarding disbursement of~~
 1310 ~~the coalition's funds. The fiscal agent shall disburse funds in~~
 1311 ~~accordance with the early learning coalition's approved school~~
 1312 ~~readiness plan and based on billing and disbursement procedures~~
 1313 ~~approved by the Agency for Workforce Innovation. The fiscal~~
 1314 ~~agent must conform to all data-reporting requirements~~
 1315 ~~established by the Agency for Workforce Innovation.~~

1316 (f) ~~(g)~~ Evaluation and annual report.—Each early learning

CS/CS/HB 1203

2010

1317 coalition shall conduct an evaluation of its implementation ~~the~~
1318 ~~effectiveness~~ of the school readiness program, including system
1319 support services, performance standards, and outcome measures,
1320 and shall provide an annual report and fiscal statement to the
1321 Agency for Workforce Innovation. This report must also include
1322 an evaluation of the effectiveness of its direct enhancement
1323 services and conform to the content and format specifications
1324 adopted ~~set~~ by the Agency for Workforce Innovation. The Agency
1325 for Workforce Innovation must include an analysis of the early
1326 learning coalitions' reports in the agency's annual report.

1327 (6) PROGRAM ELIGIBILITY.—~~The Each early learning~~
1328 ~~coalition's~~ school readiness program is ~~shall be~~ established for
1329 children from birth to the beginning of the school year for
1330 which a child is eligible for admission to kindergarten in a
1331 public school under s. 1003.21(1)(a)2. or who are eligible for
1332 any federal subsidized child care program. Each early learning
1333 coalition shall give priority for participation in the school
1334 readiness program as follows:

1335 (a) Priority shall be given first to a child from a family
1336 in which there is an adult receiving temporary cash assistance
1337 who is subject to federal work requirements.

1338 (b) Priority shall be given next to a child who is
1339 eligible for a school readiness program but who has not yet
1340 entered ~~children age 3 years to school,~~ entry who is ~~are~~ served
1341 by the Family Safety Program Office of the Department of
1342 Children and Family Services or a community-based lead agency
1343 under chapter 39 or chapter 409, and for whom child care is
1344 needed to minimize risk of further abuse, neglect, or

1345 abandonment.

1346 (c) Subsequent priority shall be given to a child ~~Other~~
 1347 ~~eligible populations include children who~~ meets ~~meet~~ one or more
 1348 of the following criteria:

1349 1.(a) A child who is younger than ~~Children under~~ the age
 1350 of kindergarten eligibility and ~~who are~~:

1351 ~~1. Children determined to be at risk of abuse, neglect, or~~
 1352 ~~exploitation who are currently clients of the Family Safety~~
 1353 ~~Program Office of the Department of Children and Family~~
 1354 ~~Services, but who are not otherwise given priority under this~~
 1355 ~~subsection.~~

1356 a.2. Is ~~Children~~ at risk of welfare dependency, including
 1357 an economically disadvantaged child ~~children, a child~~ ~~children~~
 1358 of a participant ~~participants~~ in the welfare transition program,
 1359 a child of a migratory agricultural worker ~~children of migrant~~
 1360 ~~farmworkers, or a child and children of a teen parent~~ parents.

1361 b.3. Is a member ~~Children~~ of a working family that is
 1362 economically disadvantaged ~~families whose family income does not~~
 1363 ~~exceed 150 percent of the federal poverty level.~~

1364 c.4. Children For whom financial assistance is provided
 1365 through the state ~~is paying a~~ Relative Caregiver Program ~~payment~~
 1366 under s. 39.5085.

1367 2.(b) A 3-year-old child or ~~Three-year-old children and 4-~~
 1368 ~~year-old~~ child ~~children~~ who may not be economically
 1369 disadvantaged but who has a disability; has ~~have disabilities,~~
 1370 ~~have~~ been served in a specific part-time exceptional education
 1371 program or a combination of part-time exceptional education
 1372 programs with required special services, aids, or equipment;;

CS/CS/HB 1203

2010

1373 and was ~~were~~ previously reported for funding part time under
 1374 ~~with~~ the Florida Education Finance Program as an exceptional
 1375 student ~~students~~.

1376 3.(e) ~~An~~ economically disadvantaged child ~~children~~, a
 1377 child ~~children~~ with a disability ~~disabilities~~, or a child and
 1378 ~~children~~ at risk of future school failure, from birth to 4 years
 1379 of age, who is ~~are~~ served at home through a home visitor program
 1380 ~~programs~~ and an intensive parent education program ~~programs~~.

1381 4.(d) A child ~~Children~~ who meets ~~meet~~ federal and state
 1382 eligibility requirements for the migrant preschool program but
 1383 who is ~~do~~ not ~~meet the criteria of~~ economically disadvantaged.
 1384

1385 As used in this paragraph ~~subsection~~, the term "economically
 1386 disadvantaged" ~~child~~ means having a ~~child whose~~ family income
 1387 that does not exceed 150 percent of the federal poverty level.
 1388 Notwithstanding any change in a family's economic status, but
 1389 subject to additional family contributions in accordance with
 1390 the sliding fee scale, a child who meets the eligibility
 1391 requirements upon initial registration for the program remains
 1392 eligible until the beginning of the school year for which the
 1393 child is eligible for admission to kindergarten in a public
 1394 school under s. 1003.21(1)(a)2.

1395 (7) PARENTAL CHOICE.—

1396 (a) Parental choice of child care providers shall be
 1397 established, to the maximum extent practicable, in accordance
 1398 with 45 C.F.R. s. 98.30.

1399 (b) As used in this subsection, the term "payment
 1400 certificate" means a child care certificate as defined in 45

CS/CS/HB 1203

2010

1401 C.F.R. s. 98.2.
 1402 (c) The school readiness program shall, in accordance with
 1403 45 C.F.R. s. 98.30, provide parental choice through a payment
 1404 certificate ~~purchase service order~~ that ensures, to the maximum
 1405 extent possible, flexibility in the school readiness program
 1406 ~~programs~~ and payment arrangements. ~~According to federal~~
 1407 ~~regulations requiring parental choice, a parent may choose an~~
 1408 ~~informal child care arrangement.~~ The payment certificate
 1409 ~~purchase order~~ must bear the names ~~name~~ of the beneficiary and
 1410 the program provider and, when redeemed, must bear the
 1411 signatures ~~signature~~ of both the beneficiary and an authorized
 1412 representative of the provider.

1413 (d) ~~(b)~~ If it is determined that a provider has given
 1414 ~~provided~~ any cash to the beneficiary in return for receiving a
 1415 payment certificate ~~the purchase order,~~ the early learning
 1416 coalition or its fiscal agent shall refer the matter to the
 1417 Division of Public Assistance Fraud for investigation.

1418 (e) ~~(e)~~ The office of the Chief Financial Officer shall
 1419 establish an electronic transfer system for the disbursement of
 1420 funds in accordance with this subsection. Each early learning
 1421 coalition shall fully implement the electronic funds transfer
 1422 system within 2 years after approval of the coalition's school
 1423 readiness plan, unless a waiver is obtained from the Agency for
 1424 Workforce Innovation.

1425 (8) STANDARDS; OUTCOME MEASURES.—A program provider
 1426 participating in the ~~All~~ school readiness program ~~programs~~ must
 1427 meet the performance standards and outcome measures adopted by
 1428 the Agency for Workforce Innovation.

CS/CS/HB 1203

2010

1429 (9) FUNDING; SCHOOL READINESS PROGRAM.—

1430 (a) It is the intent of this section to establish an
1431 integrated and quality seamless service delivery system for all
1432 publicly funded early childhood education and child care
1433 programs operating in this state.

1434 (b)1. The Agency for Workforce Innovation shall administer
1435 school readiness funds, plans, and policies and shall prepare
1436 and submit a unified budget request for the school readiness
1437 system in accordance with chapter 216.

1438 2. All instructions to early learning coalitions for
1439 administering this section shall emanate from the Agency for
1440 Workforce Innovation in accordance with the policies of the
1441 Legislature.

1442 (c) The Agency for Workforce Innovation, subject to
1443 legislative notice and review under s. 216.177, shall establish
1444 ~~recommend~~ a formula for the allocation ~~among the early learning~~
1445 ~~coalitions~~ of all state and federal school readiness funds
1446 provided for children participating in the public or private
1447 school readiness program, whether served by a public or private
1448 provider, programs based upon equity for each county and
1449 ~~performance~~. The allocation formula must be submitted to the
1450 Governor, the chair of the Senate Ways and Means Committee or
1451 its successor, and the chair of the House of Representatives
1452 Fiscal Council or its successor no later than January 1 of each
1453 year. If the Legislature specifies ~~shall specify in the annual~~
1454 ~~General Appropriations Act any changes to~~ from the allocation
1455 formula, methodology for the prior fiscal year which must be
1456 ~~used by~~ the Agency for Workforce Innovation shall allocate funds

1457 as specified ~~in allocating the appropriations provided~~ in the
 1458 General Appropriations Act.

1459 (d) All state, federal, and required local maintenance-of-
 1460 effort, or matching funds provided to an early learning
 1461 coalition for purposes of this section shall be used ~~by the~~
 1462 ~~coalition~~ for implementation of its approved school readiness
 1463 plan, including the hiring of staff to effectively operate the
 1464 coalition's school readiness program. As part of plan approval
 1465 and periodic plan review, The Agency for Workforce Innovation
 1466 shall require that administrative costs be kept to the minimum
 1467 necessary for efficient and effective administration of the
 1468 school readiness plan, but total administrative expenditures
 1469 must not exceed 5 percent unless specifically waived by the
 1470 Agency for Workforce Innovation. The Agency for Workforce
 1471 Innovation shall annually report to the Legislature any problems
 1472 relating to administrative costs.

1473 (e) The Agency for Workforce Innovation shall annually
 1474 distribute, to a maximum extent practicable, all eligible funds
 1475 provided under this section as block grants to the early
 1476 learning coalitions in accordance with the terms and conditions
 1477 specified by the agency.

1478 (f) State funds appropriated for the school readiness
 1479 program may not be used for the construction of new facilities
 1480 or the purchase of buses. ~~The Agency for Workforce Innovation~~
 1481 ~~shall present to the Legislature recommendations for providing~~
 1482 ~~necessary transportation services for school readiness programs.~~

1483 (g) All cost savings and all revenues received through a
 1484 mandatory sliding fee scale shall be used to help fund each

1485 early learning coalition's school readiness program.

1486 (10) CONFLICTING PROVISIONS.—~~If In the event of a conflict~~
 1487 exists between this section and federal requirements, the
 1488 federal requirements ~~shall~~ control.

1489 ~~(11) PLACEMENTS.—Notwithstanding any other provision of~~
 1490 ~~this section to the contrary, the first children to be placed in~~
 1491 ~~the school readiness program shall be those from families~~
 1492 ~~receiving temporary cash assistance and subject to federal work~~
 1493 ~~requirements. Subsequent placements shall be made in accordance~~
 1494 ~~with subsection (6).~~

1495 Section 18. Section 411.0101, Florida Statutes, is amended
 1496 to read:

1497 411.0101 Child care and early childhood resource and
 1498 referral.—

1499 (1) As a part of the school readiness programs, the Agency
 1500 for Workforce Innovation shall establish a statewide child care
 1501 resource and referral network that is unbiased and provides
 1502 referrals to families for child care. Preference shall be given
 1503 to using the already established early learning coalitions as
 1504 the child care resource and referral agencies ~~agency~~. If an
 1505 early learning coalition cannot comply with the requirements to
 1506 offer the resource information component or does not want to
 1507 offer that service, the early learning coalition shall select
 1508 the resource and referral ~~information~~ agency for its county or
 1509 multicounty region based upon a request for proposal pursuant to
 1510 s. 411.01(5)(e)1.

1511 (2) At least one child care resource and referral agency
 1512 must be established in each early learning coalition's county or

1513 multicounty region. The Agency for Workforce Innovation shall
 1514 adopt rules regarding accessibility of child care resource and
 1515 referral services offered through child care resource and
 1516 referral agencies in each county or multicounty region which
 1517 include, at a minimum, required hours of operation, methods by
 1518 which parents may request services, and child care resource and
 1519 referral staff training requirements.

1520 (3) Child care resource and referral agencies shall
 1521 provide the following services:

1522 (a)~~(1)~~ Identification of existing public and private child
 1523 care and early childhood education services, including child
 1524 care services by public and private employers, and the
 1525 development of a resource file of those services through the
 1526 single statewide information system developed by the Agency for
 1527 Workforce Innovation under s. 411.01(5)(c)1.e. These services
 1528 may include family day care, public and private child care
 1529 programs, the Voluntary Prekindergarten Education Program, Head
 1530 Start, the school readiness program ~~prekindergarten early~~
 1531 ~~intervention programs,~~ special education programs for
 1532 prekindergarten ~~handicapped~~ children with disabilities, services
 1533 for children with developmental disabilities, full-time and
 1534 part-time programs, before-school and after-school programs,
 1535 vacation care programs, parent education, the WAGES Program, and
 1536 related family support services. The resource file shall
 1537 include, but not be limited to:

- 1538 1.~~(a)~~ Type of program.
- 1539 2.~~(b)~~ Hours of service.
- 1540 3.~~(c)~~ Ages of children served.

1541 4.~~(d)~~ Number of children served.

1542 5.~~(e)~~ Significant program information.

1543 6.~~(f)~~ Fees and eligibility for services.

1544 7.~~(g)~~ Availability of transportation.

1545 (b)~~(2)~~ The establishment of a referral process that ~~which~~

1546 responds to parental need for information and that ~~which~~ is

1547 provided with full recognition of the confidentiality rights of

1548 parents. The resource and referral network ~~programs~~ shall make

1549 referrals to legally operating ~~licensed~~ child care facilities.

1550 Referrals may not ~~shall~~ be made to a ~~an~~ unlicensed child care

1551 facility that is operating illegally ~~or arrangement only if~~

1552 ~~there is no requirement that the facility or arrangement be~~

1553 ~~licensed.~~

1554 (c)~~(3)~~ Maintenance of ongoing documentation of requests

1555 for service tabulated through the internal referral process

1556 through the single statewide information system. The following

1557 documentation of requests for service shall be maintained by the

1558 ~~all~~ child care resource and referral network ~~agencies~~:

1559 1.~~(a)~~ Number of calls and contacts to the child care

1560 resource information and referral network ~~agency~~ component by

1561 type of service requested.

1562 2.~~(b)~~ Ages of children for whom service was requested.

1563 3.~~(c)~~ Time category of child care requests for each child.

1564 4.~~(d)~~ Special time category, such as nights, weekends, and

1565 swing shift.

1566 5.~~(e)~~ Reason that the child care is needed.

1567 6.~~(f)~~ Name of the employer and primary focus of the

1568 business.

1569 (d) ~~(4)~~ Provision of technical assistance to existing and
 1570 potential providers of child care services. This assistance may
 1571 include:

1572 1. ~~(a)~~ Information on initiating new child care services,
 1573 zoning, and program and budget development and assistance in
 1574 finding such information from other sources.

1575 2. ~~(b)~~ Information and resources which help existing child
 1576 care services providers to maximize their ability to serve
 1577 children and parents in their community.

1578 3. ~~(e)~~ Information and incentives that may ~~which could~~ help
 1579 existing or planned child care services offered by public or
 1580 private employers seeking to maximize their ability to serve the
 1581 children of their working parent employees in their community,
 1582 through contractual or other funding arrangements with
 1583 businesses.

1584 (e) ~~(5)~~ Assistance to families and employers in applying
 1585 for various sources of subsidy including, but not limited to,
 1586 the Voluntary Prekindergarten Education Program, the school
 1587 readiness program ~~subsidized child care~~, Head Start,
 1588 ~~prekindergarten early intervention programs~~, Project
 1589 Independence, private scholarships, and the federal child and
 1590 dependent care tax credit.

1591 ~~(6)~~ ~~Assistance to state agencies in determining the market~~
 1592 ~~rate for child care.~~

1593 (f) ~~(7)~~ Assistance in negotiating discounts or other
 1594 special arrangements with child care providers.

1595 ~~(8)~~ ~~Information and assistance to local interagency~~
 1596 ~~councils coordinating services for prekindergarten handicapped~~

1597 ~~children.~~

1598 (g)~~(9)~~ Assistance to families in identifying summer
 1599 recreation camp and summer day camp programs, and~~in~~ evaluating
 1600 the health and safety qualities of summer recreation camp and
 1601 summer day camp programs, and~~in~~ evaluating the health and
 1602 safety qualities of summer camp programs. Contingent upon
 1603 specific appropriation, a checklist of important health and
 1604 safety qualities that parents can use to choose their summer
 1605 camp programs shall be developed and distributed in a manner
 1606 that will reach parents interested in such programs for their
 1607 children.

1608 (h)~~(10)~~ A child care facility licensed under s. 402.305
 1609 and licensed and registered family day care homes must provide
 1610 the statewide child care and resource and referral network
 1611 ~~agencies~~ with the following information annually:

- 1612 1.~~(a)~~ Type of program.
- 1613 2.~~(b)~~ Hours of service.
- 1614 3.~~(c)~~ Ages of children served.
- 1615 4.~~(d)~~ Fees and eligibility for services.

1616 (4)~~(11)~~ The Agency for Workforce Innovation shall adopt
 1617 any rules necessary for the implementation and administration of
 1618 this section.

1619 Section 19. Subsection (3), paragraph (b) of subsection
 1620 (4), and paragraphs (c) and (d) of subsection (5) of section
 1621 411.0102, Florida Statutes, are amended to read:

1622 411.0102 Child Care Executive Partnership Act; findings
 1623 and intent; grant; limitation; rules.—

1624 (3) There is created a body politic and corporate known as

1625 the Child Care Executive Partnership which shall establish and
1626 govern the Child Care Executive Partnership Program. The purpose
1627 of the Child Care Executive Partnership Program is to utilize
1628 state and federal funds as incentives for matching local funds
1629 derived from local governments, employers, charitable
1630 foundations, and other sources, so that Florida communities may
1631 create local flexible partnerships with employers. The Child
1632 Care Executive Partnership Program funds shall be used at the
1633 discretion of local communities to meet the needs of working
1634 parents. A child care purchasing pool shall be developed with
1635 the state, federal, and local funds to provide subsidies to low-
1636 income working parents whose family income does not exceed the
1637 allowable income for any federally subsidized child care program
1638 ~~who are eligible for subsidized child care~~ with a dollar-for-
1639 dollar match from employers, local government, and other
1640 matching contributions. The funds used from the child care
1641 purchasing pool must be used to supplement or extend the use of
1642 existing public or private funds.

1643 (4) The Child Care Executive Partnership, staffed by the
1644 Agency for Workforce Innovation, shall consist of a
1645 representative of the Executive Office of the Governor and nine
1646 members of the corporate or child care community, appointed by
1647 the Governor.

1648 (b) The Child Care Executive Partnership shall be chaired
1649 by a member chosen by a majority vote and shall meet at least
1650 quarterly and at other times upon the call of the chair. The
1651 Child Care Executive Partnership may use any method of
1652 telecommunications to conduct meetings, including establishing a

1653 quorum through telecommunications, only if the public is given
 1654 proper notice of a telecommunications meeting and reasonable
 1655 access to observe and, when appropriate, participate.

1656 (5)

1657 (c) The Agency for Workforce Innovation, in conjunction
 1658 with the Child Care Executive Partnership, shall develop
 1659 procedures for disbursement of funds through the child care
 1660 purchasing pools. In order to be considered for funding, an
 1661 early learning coalition or the Agency for Workforce Innovation
 1662 must commit to:

1663 1. Matching the state purchasing pool funds on a dollar-
 1664 for-dollar basis; and

1665 2. Expending only those public funds which are matched by
 1666 employers, local government, and other matching contributors who
 1667 contribute to the purchasing pool. Parents shall also pay a fee,
 1668 which may not ~~shall~~ be ~~not~~ less than the amount identified in
 1669 the early learning coalition's school readiness program
 1670 ~~subsidized child care~~ sliding fee scale.

1671 (d) Each early learning coalition board ~~shall be required~~
 1672 ~~to establish a community child care task force for each child~~
 1673 ~~care purchasing pool. The task force must be composed of~~
 1674 ~~employers, parents, private child care providers, and one~~
 1675 ~~representative from the local children's services council, if~~
 1676 ~~one exists in the area of the purchasing pool. The early~~
 1677 ~~learning coalition is expected to recruit the task force members~~
 1678 ~~from existing child care councils, commissions, or task forces~~
 1679 ~~already operating in the area of a purchasing pool. A majority~~
 1680 ~~of the task force shall consist of employers. Each task force~~

1681 ~~shall~~ develop a plan for the use of child care purchasing pool
 1682 funds. The plan must show how many children will be served by
 1683 the purchasing pool, how many will be new to receiving child
 1684 care services, and how the early learning coalition intends to
 1685 attract new employers and their employees to the program.

1686 Section 20. Paragraph (b) of subsection (8) of section
 1687 411.203, Florida Statutes, is amended to read:

1688 411.203 Continuum of comprehensive services.—The
 1689 Department of Education and the Department of Health and
 1690 Rehabilitative Services shall utilize the continuum of
 1691 prevention and early assistance services for high-risk pregnant
 1692 women and for high-risk and handicapped children and their
 1693 families, as outlined in this section, as a basis for the
 1694 intraagency and interagency program coordination, monitoring,
 1695 and analysis required in this chapter. The continuum shall be
 1696 the guide for the comprehensive statewide approach for services
 1697 for high-risk pregnant women and for high-risk and handicapped
 1698 children and their families, and may be expanded or reduced as
 1699 necessary for the enhancement of those services. Expansion or
 1700 reduction of the continuum shall be determined by intraagency or
 1701 interagency findings and agreement, whichever is applicable.
 1702 Implementation of the continuum shall be based upon applicable
 1703 eligibility criteria, availability of resources, and interagency
 1704 prioritization when programs impact both agencies, or upon
 1705 single agency prioritization when programs impact only one
 1706 agency. The continuum shall include, but not be limited to:

1707 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
 1708 OF HIGH-RISK CHILDREN.—

1709 (b) Child care and early childhood programs, including,
 1710 but not limited to, ~~subsidized child care~~, licensed
 1711 ~~nonsubsidized~~ child care facilities, family day care homes,
 1712 therapeutic child care, Head Start, and preschool programs in
 1713 public and private schools.

1714 Section 21. Subsection (2) of section 411.221, Florida
 1715 Statutes, is amended to read:

1716 411.221 Prevention and early assistance strategic plan;
 1717 agency responsibilities.—

1718 (2) The strategic plan and subsequent plan revisions shall
 1719 incorporate and otherwise utilize, to the fullest extent
 1720 possible, the evaluation findings and recommendations from
 1721 intraagency, independent third-party, field projects, and
 1722 reports issued by the Auditor General or the Office of Program
 1723 Policy Analysis and Government Accountability, as well as the
 1724 recommendations of the Agency for Workforce Innovation State
 1725 ~~Coordinating Council for School Readiness Programs~~.

1726 Section 22. Paragraph (c) of subsection (4) of section
 1727 445.024, Florida Statutes, is amended to read:

1728 445.024 Work requirements.—

1729 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Regional
 1730 workforce boards shall require participation in work activities
 1731 to the maximum extent possible, subject to federal and state
 1732 funding. If funds are projected to be insufficient to allow
 1733 full-time work activities by all program participants who are
 1734 required to participate in work activities, regional workforce
 1735 boards shall screen participants and assign priority based on
 1736 the following:

CS/CS/HB 1203

2010

1737 (c) A participant who has access to ~~subsidized or~~
1738 ~~unsubsidized~~ child care services may be assigned priority for
1739 work activities.

1740
1741 Regional workforce boards may limit a participant's weekly work
1742 requirement to the minimum required to meet federal work
1743 activity requirements. Regional workforce boards may develop
1744 screening and prioritization procedures based on the allocation
1745 of resources, the availability of community resources, the
1746 provision of supportive services, or the work activity needs of
1747 the service area.

1748 Section 23. Subsection (2) of section 445.030, Florida
1749 Statutes, is amended to read:

1750 445.030 Transitional education and training.—In order to
1751 assist former recipients of temporary cash assistance who are
1752 working or actively seeking employment in continuing their
1753 training and upgrading their skills, education, or training,
1754 support services may be provided for up to 2 years after the
1755 family is no longer receiving temporary cash assistance. This
1756 section does not constitute an entitlement to transitional
1757 education and training. If funds are not sufficient to provide
1758 services under this section, the board of directors of Workforce
1759 Florida, Inc., may limit or otherwise prioritize transitional
1760 education and training.

1761 (2) Regional workforce boards may authorize child care or
1762 other support services in addition to services provided in
1763 conjunction with employment. For example, a participant who is
1764 employed full time may receive ~~subsidized~~ child care services

CS/CS/HB 1203

2010

1765 related to that employment and may also receive additional
 1766 ~~subsidized~~ child care services in conjunction with training to
 1767 upgrade the participant's skills.

1768 Section 24. Paragraph (a) of subsection (2) of section
 1769 490.014, Florida Statutes, is amended to read:

1770 490.014 Exemptions.—

1771 (2) No person shall be required to be licensed or
 1772 provisionally licensed under this chapter who:

1773 (a) Is a salaried employee of a government agency; a
 1774 developmental disability facility or program; a mental health,
 1775 alcohol, or drug abuse facility operating under chapter 393,
 1776 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
 1777 ~~program, subsidized child care case management program, or child~~
 1778 care resource and referral network ~~program~~ operating under s.
 1779 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
 1780 caring agency licensed pursuant to chapter 409; a domestic
 1781 violence center certified pursuant to chapter 39; an accredited
 1782 academic institution; or a research institution, if such
 1783 employee is performing duties for which he or she was trained
 1784 and hired solely within the confines of such agency, facility,
 1785 or institution, so long as the employee is not held out to the
 1786 public as a psychologist pursuant to s. 490.012(1)(a).

1787 Section 25. Paragraph (a) of subsection (4) of section
 1788 491.014, Florida Statutes, is amended to read:

1789 491.014 Exemptions.—

1790 (4) No person shall be required to be licensed,
 1791 provisionally licensed, registered, or certified under this
 1792 chapter who:

CS/CS/HB 1203

2010

1793 (a) Is a salaried employee of a government agency; a
 1794 developmental disability facility or program; a, mental health,
 1795 alcohol, or drug abuse facility operating under chapter 393,
 1796 chapter 394, or chapter 397; the statewide ~~subsidized child care~~
 1797 ~~program, subsidized child care case management program, or child~~
 1798 care resource and referral network ~~program~~ operating under s.
 1799 411.0101 ~~pursuant to chapter 402~~; a child-placing or child-
 1800 caring agency licensed pursuant to chapter 409; a domestic
 1801 violence center certified pursuant to chapter 39; an accredited
 1802 academic institution; or a research institution, if such
 1803 employee is performing duties for which he or she was trained
 1804 and hired solely within the confines of such agency, facility,
 1805 or institution, so long as the employee is not held out to the
 1806 public as a clinical social worker, mental health counselor, or
 1807 marriage and family therapist.

1808 Section 26. Subsection (5) of section 1002.53, Florida
 1809 Statutes, is amended to read:

1810 1002.53 Voluntary Prekindergarten Education Program;
 1811 eligibility and enrollment.—

1812 (5) The early learning coalition shall provide each parent
 1813 enrolling a child in the Voluntary Prekindergarten Education
 1814 Program with a profile of every private prekindergarten provider
 1815 and public school delivering the program within the ~~coalition's~~
 1816 county where the child is being enrolled ~~or multicounty region~~.
 1817 The profiles shall be provided to parents in a format prescribed
 1818 by the Agency for Workforce Innovation. The profiles must
 1819 include, at a minimum, the following information about each
 1820 provider and school:

1821 (a) The provider's or school's services, curriculum,
 1822 instructor credentials, and instructor-to-student ratio; and

1823 (b) The provider's or school's kindergarten readiness rate
 1824 calculated in accordance with s. 1002.69, based upon the most
 1825 recent available results of the statewide kindergarten
 1826 screening.

1827 Section 27. Paragraph (b) of subsection (3) of section
 1828 1002.55, Florida Statutes, is amended, and subsection (5) is
 1829 added to that section, to read:

1830 1002.55 School-year prekindergarten program delivered by
 1831 private prekindergarten providers.—

1832 (3) To be eligible to deliver the prekindergarten program,
 1833 a private prekindergarten provider must meet each of the
 1834 following requirements:

1835 (b) The private prekindergarten provider must:

1836 1. Be accredited by the Southern Association of Colleges
 1837 and Schools, the Middle States Association of Colleges and
 1838 Schools, the New England Association of Colleges and Schools,
 1839 the North Central Association of Colleges and Schools, or the
 1840 Western Association of Colleges and Schools, or by an
 1841 accrediting association that is a member of the National Council
 1842 for Private School Accreditation, ~~the Commission on~~
 1843 ~~International and Trans-Regional Accreditation,~~ or the Florida
 1844 Association of Academic Nonpublic Schools, and have written
 1845 accrediting ~~accreditation~~ standards that meet or exceed the
 1846 state's licensing requirements under s. 402.305, s. 402.313, or
 1847 s. 402.3131 and require at least one onsite visit to the
 1848 provider or school before accreditation is granted;

CS/CS/HB 1203

2010

1849 2. Hold a current Gold Seal Quality Care designation under
1850 s. 402.281; or

1851 3. Be licensed under s. 402.305, s. 402.313, or s.
1852 402.3131 and demonstrate, before delivering the Voluntary
1853 Prekindergarten Education Program, as verified by the early
1854 learning coalition, that the provider meets each of the
1855 requirements of the program under this part, including, but not
1856 limited to, the requirements for credentials and background
1857 screenings of prekindergarten instructors under paragraphs (c)
1858 and (d), minimum and maximum class sizes under paragraph (f),
1859 prekindergarten director credentials under paragraph (g), and a
1860 developmentally appropriate curriculum under s. 1002.67(2)(b).

1861 (5) Notwithstanding paragraph (3)(b), a private
1862 prekindergarten provider may not participate in the Voluntary
1863 Prekindergarten Education Program if the provider has child
1864 disciplinary policies that do not prohibit children from being
1865 subjected to discipline that is severe, humiliating,
1866 frightening, or associated with food, rest, toileting, spanking,
1867 or any other form of physical punishment as provided in s.
1868 402.305(12).

1869 Section 28. Paragraph (c) of subsection (3) of section
1870 1002.67, Florida Statutes, is amended to read:

1871 1002.67 Performance standards; curricula and
1872 accountability.—

1873 (3)

1874 (c)1. If the kindergarten readiness rate of a private
1875 prekindergarten provider or public school falls below the
1876 minimum rate adopted by the State Board of Education as

1877 | satisfactory under s. 1002.69(6), the early learning coalition
 1878 | or school district, as applicable, shall require the provider or
 1879 | school to submit an improvement plan for approval by the
 1880 | coalition or school district, as applicable, and to implement
 1881 | the plan.

1882 | 2. If a private prekindergarten provider or public school
 1883 | fails to meet the minimum rate adopted by the State Board of
 1884 | Education as satisfactory under s. 1002.69(6) for 2 consecutive
 1885 | years, the early learning coalition or school district, as
 1886 | applicable, shall place the provider or school on probation and
 1887 | must require the provider or school to take certain corrective
 1888 | actions, including the use of a curriculum approved by the
 1889 | department under paragraph (2)(c).

1890 | 3. A private prekindergarten provider or public school
 1891 | that is placed on probation must continue the corrective actions
 1892 | required under subparagraph 2., including the use of a
 1893 | curriculum approved by the department, until the provider or
 1894 | school meets the minimum rate adopted by the State Board of
 1895 | Education as satisfactory under s. 1002.69(6).

1896 | 4. If a private prekindergarten provider or public school
 1897 | remains on probation for 2 consecutive years and fails to meet
 1898 | the minimum rate adopted by the State Board of Education as
 1899 | satisfactory under s. 1002.69(6) and is not granted a good cause
 1900 | exemption by the department pursuant to s. 1002.69(7), the
 1901 | Agency for Workforce Innovation shall require the early learning
 1902 | coalition or the Department of Education shall require the
 1903 | school district, ~~as applicable,~~ to remove, as applicable, the
 1904 | provider or school from eligibility to deliver the Voluntary

1905 Prekindergarten Education Program and receive state funds for
 1906 the program.

1907 Section 29. Subsection (7) is added to section 1002.69,
 1908 Florida Statutes, to read:

1909 1002.69 Statewide kindergarten screening; kindergarten
 1910 readiness rates.—

1911 (7) (a) Notwithstanding s. 1002.67(3)(c)4., the State Board
 1912 of Education, upon the request of a private prekindergarten
 1913 provider or public school that remains on probation for 2
 1914 consecutive years or more and subsequently fails to meet the
 1915 minimum rate adopted under subsection (6) and for good cause
 1916 shown, may grant to the provider or school an exemption from
 1917 being determined ineligible to deliver the Voluntary
 1918 Prekindergarten Education Program and receive state funds for
 1919 the program. Such a good cause exemption is valid for 1 year
 1920 and, upon the request of the private prekindergarten provider or
 1921 public school and for good cause shown, may be renewed.

1922 (b) A private prekindergarten provider's or public
 1923 school's request for a good cause exemption, or renewal of such
 1924 an exemption, must be submitted to the state board in the manner
 1925 and within the timeframes prescribed by the state board and must
 1926 include the following:

1927 1. Submission of data by the private prekindergarten
 1928 provider or public school that documents on a standardized
 1929 assessment the achievement and progress of the children served.

1930 2. Submission and review of data available from the
 1931 respective early learning coalition or district school board,
 1932 the Department of Children and Family Services, local licensing

1933 authority, or an accrediting association, as applicable,
 1934 relating to the private prekindergarten provider's or public
 1935 school's compliance with state and local health and safety
 1936 standards.

1937 3. Submission and review of data available to the
 1938 department on the performance of the children served and the
 1939 calculation of the private prekindergarten provider's or public
 1940 school's kindergarten readiness rate.

1941 (c) The State Board of Education shall adopt criteria for
 1942 granting good cause exemptions. Such criteria shall include, but
 1943 are not limited to:

1944 1. Learning gains of children served in the Voluntary
 1945 Prekindergarten Education Program by the private prekindergarten
 1946 provider or public school.

1947 2. Verification that the private prekindergarten provider
 1948 or public school serves at least twice the statewide percentage
 1949 of children with disabilities as defined in s. 1003.01(3)(a) or
 1950 children identified as limited English proficient as defined in
 1951 s. 1003.56.

1952 3. Verification that local and state health and safety
 1953 requirements are met.

1954 (d) A good cause exemption may not be granted to any
 1955 private prekindergarten provider that has any class I violations
 1956 or two or more class II violations within the 2 years preceding
 1957 the provider's or school's request for the exemption. For
 1958 purposes of this paragraph, class I and class II violations have
 1959 the same meaning as provided in s. 402.281(3).

1960 (e) A private prekindergarten provider or public school

1961 granted a good cause exemption shall continue to implement its
 1962 improvement plan and continue the corrective actions required
 1963 under s. 1002.67(3)(c)2., including the use of a curriculum
 1964 approved by the department, until the provider or school meets
 1965 the minimum rate adopted under subsection (6).

1966 (f) The State Board of Education shall notify the Agency
 1967 for Workforce Innovation of any good cause exemption granted to
 1968 a private prekindergarten provider under this subsection. If a
 1969 good cause exemption is granted to a private prekindergarten
 1970 provider who remains on probation for 2 consecutive years, the
 1971 Agency for Workforce Innovation shall notify the early learning
 1972 coalition of the good cause exemption and direct that the
 1973 coalition, notwithstanding s. 1002.67(3)(c)4., not remove the
 1974 provider either from eligibility to deliver the Voluntary
 1975 Prekindergarten Education Program or to receive state funds for
 1976 the program, if the provider meets all other applicable
 1977 requirements of this part.

1978 Section 30. Paragraph (b) of subsection (6) of section
 1979 1002.71, Florida Statutes, is amended to read:

1980 1002.71 Funding; financial and attendance reporting.—

1981 (6)

1982 (b)1. Each private prekindergarten provider's and district
 1983 school board's attendance policy must require the parent of each
 1984 student in the Voluntary Prekindergarten Education Program to
 1985 verify, each month, the student's attendance on the prior
 1986 month's certified student attendance.

1987 2. The parent must submit the verification of the
 1988 student's attendance to the private prekindergarten provider or

1989 public school on forms prescribed by the Agency for Workforce
 1990 Innovation. The forms must include, in addition to the
 1991 verification of the student's attendance, a certification, in
 1992 substantially the following form, that the parent continues to
 1993 choose the private prekindergarten provider or public school in
 1994 accordance with s. 1002.53 and directs that payments for the
 1995 program be made to the provider or school:

1996
 1997 VERIFICATION OF STUDENT'S ATTENDANCE
 1998 AND CERTIFICATION OF PARENTAL CHOICE
 1999

2000 I, ...(Name of Parent)..., swear (or affirm) that my
 2001 child,...(Name of Student)..., attended the Voluntary
 2002 Prekindergarten Education Program on the days listed above and
 2003 certify that I continue to choose ...(Name of Provider or
 2004 School)... to deliver the program for my child and direct that
 2005 program funds be paid to the provider or school for my child.

2006
 2007 ...(Signature of Parent)...

2008 ...(Date)...

2009
 2010 3. The private prekindergarten provider or public school
 2011 must keep each original signed form for at least 2 years. Each
 2012 private prekindergarten provider must permit the early learning
 2013 coalition, and each public school must permit the school
 2014 district, to inspect the original signed forms during normal
 2015 business hours. The Agency for Workforce Innovation shall adopt
 2016 procedures for early learning coalitions and school districts to

CS/CS/HB 1203

2010

2017 review the original signed forms against the certified student
 2018 attendance. The review procedures shall provide for the use of
 2019 selective inspection techniques, including, but not limited to,
 2020 random sampling. Each early learning coalition and the school
 2021 districts ~~district~~ must comply with the review procedures.

2022 Section 31. Paragraph (d) is added to subsection (2) of
 2023 section 1002.73, Florida Statutes, to read:

2024 1002.73 Department of Education; powers and duties;
 2025 accountability requirements.—

2026 (2) The department shall adopt procedures for the
 2027 department's:

2028 (d) Granting of good cause exemptions from private
 2029 prekindergarten providers' and public schools' being determined
 2030 ineligible to deliver the program and receive state funds for
 2031 the program.

2032 Section 32. Paragraph (b) of subsection (4) of section
 2033 1009.64, Florida Statutes, is amended to read:

2034 1009.64 Certified Education Paraprofessional Welfare
 2035 Transition Program.—

2036 (4) The agencies shall complete an implementation plan
 2037 that addresses at least the following recommended components of
 2038 the program:

2039 (b) A budget for use of incentive funding to provide
 2040 motivation to participants to succeed and excel. The budget for
 2041 incentive funding includes:

2042 1. Funds allocated by the Legislature directly for the
 2043 program.

2044 2. Funds that may be made available from the federal

CS/CS/HB 1203

2010

2045 Workforce Investment Act based on client eligibility or
2046 requested waivers to make the clients eligible.

2047 3. Funds made available by implementation strategies that
2048 would make maximum use of work supplementation funds authorized
2049 by federal law.

2050 4. Funds authorized by strategies to lengthen
2051 participants' eligibility for federal programs such as Medicaid,
2052 ~~subsidized~~ child care services, and transportation.

2053
2054 Incentives may include a stipend during periods of college
2055 classroom training, a bonus and recognition for a high grade-
2056 point average, child care and prekindergarten services for
2057 children of participants, and services to increase a
2058 participant's ability to advance to higher levels of employment.
2059 Nonfinancial incentives should include providing a mentor or
2060 tutor, and service incentives should continue and increase for
2061 any participant who plans to complete the baccalaureate degree
2062 and become a certified teacher. Services may be provided in
2063 accordance with family choice by community colleges and school
2064 district career centers, through family service centers and
2065 full-service schools, or under contract with providers through
2066 central agencies.

2067 Section 33. This act shall take effect July 1, 2010.