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1 A bill to be entitled
2 An act relating to school readiness programs; amending
3 s. 411.01, F.S.; defining terms for purposes of the
4 School Readiness Act; revising legislative intent
5 related to operation of school readiness programs;
6 revising the number of early learning coalitions and
7 the minimum number of children that each coalition
8 must serve; deleting certain provisions related to the
9 merger of coalitions; revising provisions related to
10 school readiness plans adopted by early learning
11 coalitions; deleting provisions for the establishment
12 of payment rates and sliding fee scales by early
13 learning coalitions; revising procurement requirements
14 and requirements for the expenditure of funds by early
15 learning coalitions; revising the eligibility criteria
16 for the enrollment of children in the school readiness
17 program and the priorities by which children are
18 enrolled; providing for the allocation of school
19 readiness funds as specified in the General
20 Appropriations Act and deleting provisions for the
21 establishment of an allocation formula by the Office
22 of Early Learning; limiting expenditures for
23 administrative activities, quality activities, and
24 nondirect services; providing for the payment of
25 school readiness providers according to calculations
26 of payment rates and sliding fee scales as provided in
27 the General Appropriations Act; authorizing the Office
28 of Early Learning to request budget amendments for

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 increased payment rates in certain geographic areas
 30 under certain circumstances; deleting a provision
 31 relating to the applicability of provisions that
 32 conflict with federal requirements; prohibiting school
 33 readiness providers and parents from knowingly
 34 submitting false information related to child
 35 eligibility for and attendance in a school readiness
 36 program; providing a penalty; conforming provisions;
 37 conforming cross-references; amending ss. 216.136 and
 38 411.0101, F.S.; conforming cross-references; amending
 39 s. 411.01013, F.S.; revising provisions for
 40 calculation of the prevailing market rate schedule;
 41 requiring school readiness providers to annually
 42 submit their market rates by a specified date;
 43 amending ss. 411.0106 and 445.023, F.S.; conforming
 44 cross-references; providing an effective date.

45

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

47

48 Section 1. Section 411.01, Florida Statutes, is amended to
 49 read:

50 411.01 School readiness programs; early learning
 51 coalitions.—

52 (1) SHORT TITLE.—This section may be cited as the "School
 53 Readiness Act."

54 (2) LEGISLATIVE INTENT.—

55 (a) The Legislature recognizes that school readiness
 56 programs increase children's chances of achieving future

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57 | educational success and becoming productive members of society.
58 | It is the intent of the Legislature that the programs be
59 | developmentally appropriate, research-based, involve the parent
60 | as a child's first teacher, serve as preventive measures for
61 | children at risk of future school failure, enhance the
62 | educational readiness of eligible children, and support family
63 | education. Each school readiness program shall provide the
64 | elements necessary to prepare at-risk children for school,
65 | including health screening and referral and an appropriate
66 | educational program.

67 | (b) It is the intent of the Legislature that school
68 | readiness programs be operated on a full-time and part-time
69 | ~~full-day~~, year-round basis to the maximum extent possible to
70 | enable parents to work and become financially self-sufficient.

71 | (c) It is the intent of the Legislature that school
72 | readiness programs not exist as isolated programs, but build
73 | upon existing services and work in cooperation with other
74 | programs for young children, and that school readiness programs
75 | be coordinated to achieve full effectiveness.

76 | (d) It is the intent of the Legislature that the
77 | administrative staff for school readiness programs be kept to
78 | the minimum necessary to administer the duties of the Office of
79 | Early Learning and early learning coalitions. The Office of
80 | Early Learning shall adopt system support services at the state
81 | level to build a comprehensive early learning system. Each early
82 | learning coalition shall implement and maintain direct
83 | enhancement services at the local level, as approved in its
84 | school readiness plan by the Office of Early Learning, and

85 ensure access to such services in all 67 counties.

86 (e) It is the intent of the Legislature that the school
 87 readiness program coordinate and operate in conjunction with the
 88 district school systems. However, it is also the intent of the
 89 Legislature that the school readiness program not be construed
 90 as part of the system of free public schools but rather as a
 91 separate program for children under the age of kindergarten
 92 eligibility, funded separately from the system of free public
 93 schools, utilizing a mandatory sliding fee scale, and providing
 94 an integrated and seamless system of school readiness services
 95 for the state's birth-to-kindergarten population.

96 (f) It is the intent of the Legislature that school
 97 readiness services be an integrated and seamless program of
 98 services with a developmentally appropriate education component
 99 for the state's eligible birth-to-kindergarten population
 100 described in subsection (7) ~~(6)~~ and not be construed as part of
 101 the seamless K-20 education system.

102 (3) DEFINITIONS.—As used in this section, the term:

103 (a) "Adjusted payment rate percentage" means a specified
 104 percentage provided in the General Appropriations Act that is
 105 applied to the prevailing market rate for each type of school
 106 readiness provider and level of care.

107 (b) "Authorized hours of care" means the hours of care
 108 that are necessary to provide protection or complete work
 109 activities or eligible educational activities, including
 110 reasonable travel time.

111 (c) "Earned income" means gross remuneration derived from
 112 work, professional service, or self-employment. The term

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113 includes commissions, bonuses, back pay awards, and the cash
114 value of all remuneration paid in a medium other than cash.

115 (d) "Economically disadvantaged" means having a family
116 income that does not exceed 150 percent of the federal poverty
117 level.

118 (e) "Family income" means the combined gross income,
119 whether earned or unearned, that is derived from any source by
120 all family or household members who are 18 years of age or older
121 and currently residing together in the same dwelling unit. The
122 term does not include income earned by a currently enrolled high
123 school student who, since attaining the age of 18 years, has not
124 terminated school enrollment or received a high school diploma,
125 high school equivalency diploma, special diploma, or certificate
126 of high school completion. The term also does not include food
127 stamp benefits or federal housing assistance payments issued
128 directly to a landlord or the associated utilities expenses.

129 (f) "Family or household members" means spouses, former
130 spouses, persons related by blood or marriage, persons who are
131 parents of a child in common regardless of whether they have
132 been married, and other persons who are currently residing
133 together in the same dwelling unit as if a family.

134 (g) "Full-time care" means at least 6 hours, but not more
135 than 11 hours, of child care or early childhood education
136 service within a 24-hour period.

137 (h) "Gold Seal premium percentage" means a specified
138 percentage provided in the General Appropriations Act that, for
139 a school readiness provider that has the Gold Seal Quality Care

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140 designation under s. 402.281, is applied to the provider's
141 adjusted payment rate.

142 (i) "In loco parentis" means acting as a child's temporary
143 guardian.

144 (j) "Market rate" means the price that a child care or
145 early childhood education provider charges for full-time or
146 part-time daily, weekly, or monthly child care or early
147 childhood education services.

148 (k) "Office" means the Office of Early Learning of the
149 Department of Education.

150 (l) "Parent" means a parent by blood, marriage, or
151 adoption; a legal guardian; or another person standing in loco
152 parentis.

153 (m) "Part-time care" means less than 6 hours of child care
154 or early childhood education services within a 24-hour period.

155 (n) "Prevailing market rate" means the biennially
156 determined statewide median of the market rate for child care
157 and early childhood education services.

158 (o) "Unearned income" means income other than earned
159 income. The term includes, but is not limited to:

160 1. Documented alimony and child support received.

161 2. Social security benefits.

162 3. Supplemental security income benefits.

163 4. Workers' compensation benefits.

164 5. Unemployment compensation benefits.

165 6. Veterans' benefits.

166 7. Retirement benefits.

167 8. Temporary cash assistance under chapter 414.

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168 9. Military housing assistance under the federal Family
 169 Subsistence Supplemental Allowance Program.

170 (p) "Working family" means:

171 1. A single-parent family in which the parent with whom
 172 the child resides is employed or engaged in eligible education
 173 activities for at least 20 hours per week;

174 2. A two-parent family in which both parents with whom the
 175 child resides are each employed or engaged in eligible education
 176 activities for at least 20 hours per week; or

177 3. A family in which the parents, as prescribed by rule of
 178 the Office of Early Learning, are exempt from work requirements
 179 due to age or a disability as determined and documented by a
 180 physician licensed under chapter 458 or chapter 459.

181 (4)-(3) PARENTAL PARTICIPATION IN SCHOOL READINESS
 182 PROGRAMS.—This section does not:

183 (a) Relieve parents and guardians of their own obligations
 184 to prepare their children for school; or

185 (b) Create any obligation to provide publicly funded
 186 school readiness programs or services beyond those authorized by
 187 the Legislature.

188 (5)-(4) OFFICE OF EARLY LEARNING OF THE DEPARTMENT OF
 189 EDUCATION.—

190 (a) The Office of Early Learning shall administer school
 191 readiness programs at the state level and shall coordinate with
 192 the early learning coalitions in providing school readiness
 193 services ~~on a full-day, full-year, full-choice basis to the~~
 194 ~~extent possible in order~~ to enable parents to work and be
 195 financially self-sufficient.

196 (b) The Office of Early Learning shall:

197 1. Coordinate the birth-to-kindergarten services for
 198 children who are eligible under subsection (7) ~~(6)~~ and the
 199 programmatic, administrative, and fiscal standards under this
 200 chapter ~~section~~ for all ~~public~~ providers of school readiness
 201 programs.

202 2. Focus on improving the educational quality of all
 203 program providers participating in publicly funded school
 204 readiness programs.

205 3. Provide comprehensive services to ~~the state's birth-to-~~
 206 ~~5 population, which shall~~ ensure the preservation of parental
 207 choice by permitting parents to choose from a variety of child
 208 care categories, including: center-based child care; group home
 209 child care; family child care; and in-home child care. Care and
 210 curriculum by a sectarian provider may not be limited or
 211 excluded in any of these categories.

212 (c) The Governor shall designate the Office of Early
 213 Learning as the lead agency for administration of the federal
 214 Child Care and Development Fund, 45 C.F.R. parts 98 and 99, and
 215 the office shall comply with the lead agency responsibilities
 216 under federal law.

217 (d) The Office of Early Learning shall:

218 1. Be responsible for the prudent use of all public and
 219 private funds in accordance with all legal and contractual
 220 requirements.

221 2. Provide final approval and every 2 years review early
 222 learning coalitions and school readiness plans.

223 3. Establish a unified approach to the state's efforts

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224 toward enhancement of school readiness. In support of this
225 effort, the Office of Early Learning shall adopt specific system
226 support services as provided in subsection (10) that address the
227 state's school readiness programs, and each. ~~An early learning~~
228 coalition shall amend its school readiness plan to conform to
229 the specific system support services ~~adopted by the Office of~~
230 ~~Early Learning. System support services shall include, but are~~
231 ~~not limited to:~~

- 232 a. ~~Child care resource and referral services;~~
- 233 b. ~~Warm-Line services;~~
- 234 c. ~~Eligibility determinations;~~
- 235 d. ~~Child performance standards;~~
- 236 e. ~~Child screening and assessment;~~
- 237 f. ~~Developmentally appropriate curricula;~~
- 238 g. ~~Health and safety requirements;~~
- 239 h. ~~Statewide data system requirements; and~~
- 240 i. ~~Rating and improvement systems.~~

241 4. Safeguard the effective use of federal, state, local,
242 and private resources to achieve the highest possible level of
243 school readiness for the children in this state.

244 ~~5. Adopt a rule establishing criteria for the expenditure~~
245 ~~of funds designated for the purpose of funding activities to~~
246 ~~improve the quality of child care within the state in accordance~~
247 ~~with s. 658C of the federal Child Care and Development Block~~
248 ~~Grant Act.~~

249 5.6. Provide technical assistance to early learning
250 coalitions in a manner determined by the Office of Early
251 Learning based upon information obtained by the office from

252 various sources, including, but not limited to, public input,
 253 government reports, private interest group reports, office
 254 monitoring visits, and coalition requests for service.

255 ~~6.7.~~ In cooperation with the early learning coalitions,
 256 coordinate with the Child Care Services Program Office of the
 257 Department of Children and Family Services to minimize
 258 duplicating interagency activities, health and safety
 259 monitoring, and acquiring and composing data pertaining to child
 260 care training and credentialing.

261 ~~7.8.~~ Develop and adopt performance standards and outcome
 262 measures for school readiness programs. The performance
 263 standards must address the age-appropriate progress of children
 264 in the development of school readiness skills. The performance
 265 standards for children from birth to 5 years of age in school
 266 readiness programs must be integrated with the performance
 267 standards adopted by the Department of Education for children in
 268 the Voluntary Prekindergarten Education Program under s.
 269 1002.67.

270 ~~8.9.~~ Adopt a standard contract that must be used by the
 271 coalitions when contracting with school readiness providers.

272 (e) The Office of Early Learning may adopt rules under ss.
 273 120.536(1) and 120.54 to administer the provisions of law
 274 conferring duties upon the office, including, but not limited
 275 to, rules governing the administration of system support
 276 services of school readiness programs, the collection of data,
 277 the approval of early learning coalitions and school readiness
 278 plans, the provision of a method whereby an early learning
 279 coalition may serve two or more counties, the award of

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280 incentives to early learning coalitions, child performance
281 standards, child outcome measures, the issuance of waivers, and
282 the implementation of the state's Child Care and Development
283 Fund Plan as approved by the federal Administration for Children
284 and Families.

285 (f) The Office of Early Learning shall have all powers
286 necessary to administer this section, including, but not limited
287 to, the power to receive and accept grants, loans, or advances
288 of funds from any public or private agency and to receive and
289 accept from any source contributions of money, property, labor,
290 or any other thing of value, to be held, used, and applied for
291 purposes of this section.

292 (g) Except as provided by law, the Office of Early
293 Learning may not impose requirements on a child care or early
294 childhood education provider that does not deliver services
295 under the school readiness programs or receive state or federal
296 funds under this section.

297 ~~(h) The Office of Early Learning shall have a budget for~~
298 ~~school readiness programs, which shall be financed through an~~
299 ~~annual appropriation made for purposes of this section in the~~
300 ~~General Appropriations Act.~~

301 (h)~~(i)~~ The Office of Early Learning shall coordinate the
302 efforts toward school readiness in this state and provide
303 independent policy analyses, data analyses, and recommendations
304 to the Governor, the State Board of Education, and the
305 Legislature.

306 (i)~~(j)~~ The Office of Early Learning shall require that
307 school readiness programs, at a minimum, enhance the age-

308 appropriate progress of each child in attaining the performance
 309 standards adopted under subparagraph (d)7. ~~(d)8.~~ and in the
 310 development of the following school readiness skills:

- 311 1. Compliance with rules, limitations, and routines.
- 312 2. Ability to perform tasks.
- 313 3. Interactions with adults.
- 314 4. Interactions with peers.
- 315 5. Ability to cope with challenges.
- 316 6. Self-help skills.
- 317 7. Ability to express the child's needs.
- 318 8. Verbal communication skills.
- 319 9. Problem-solving skills.
- 320 10. Following of verbal directions.
- 321 11. Demonstration of curiosity, persistence, and
 322 exploratory behavior.
- 323 12. Interest in books and other printed materials.
- 324 13. Paying attention to stories.
- 325 14. Participation in art and music activities.
- 326 15. Ability to identify colors, geometric shapes, letters
 327 of the alphabet, numbers, and spatial and temporal
 328 relationships.

329
 330 Within 30 days after enrollment in the school readiness program,
 331 the early learning coalition must ensure that the program
 332 provider obtains information regarding the child's
 333 immunizations, physical development, and other health
 334 requirements as necessary, including appropriate vision and
 335 hearing screening and examinations. For a program provider

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336 licensed by the Department of Children and Family Services, the
337 provider's compliance with s. 402.305(9), as verified pursuant
338 to s. 402.311, shall satisfy this requirement.

339 (j)~~(k)~~ The Office of Early Learning shall conduct studies
340 and planning activities related to the overall improvement and
341 effectiveness of the outcome measures adopted by the office for
342 school readiness programs and the specific system support
343 services to address the state's school readiness programs
344 adopted by the Office of Early Learning in accordance with
345 subparagraph (d)3.

346 (k)~~(l)~~ The Office of Early Learning shall monitor and
347 evaluate the performance of each early learning coalition in
348 administering the school readiness program, implementing the
349 coalition's school readiness plan, and administering the
350 Voluntary Prekindergarten Education Program. These monitoring
351 and performance evaluations must include, at a minimum, onsite
352 monitoring of each coalition's finances, management, operations,
353 and programs.

354 (l)~~(m)~~ The Office of Early Learning shall submit an annual
355 report of its activities conducted under this section to the
356 Governor, the President of the Senate, the Speaker of the House
357 of Representatives, and the minority leaders of both houses of
358 the Legislature. In addition, the Office of Early Learning's
359 reports and recommendations shall be made available to the
360 Florida Early Learning Advisory Council and other appropriate
361 state agencies and entities. The annual report must provide an
362 analysis of school readiness activities across the state,
363 including the number of children who were served in the

364 programs.

365 (m)~~(n)~~ The Office of Early Learning shall work with the
 366 early learning coalitions to ensure availability of training and
 367 support for parental involvement in children's early education
 368 and to provide family literacy activities and services.

369 (6)~~(5)~~ CREATION OF EARLY LEARNING COALITIONS.-

370 (a) Early learning coalitions.-

371 1. Each early learning coalition shall maintain direct
 372 enhancement services at the local level and ensure access to
 373 such services in all 67 counties.

374 2. The Office of Early Learning shall establish the
 375 minimum number of children to be served by each early learning
 376 coalition through the coalition's school readiness program. The
 377 Office of Early Learning may only approve school readiness plans
 378 in accordance with this minimum number. The minimum number must
 379 be uniform for every early learning coalition and must:

380 a. Permit 25 ~~31~~ or fewer coalitions to be established; and

381 b. Require each coalition to serve at least 1,700 ~~2,000~~
 382 children based upon the average number of all children served
 383 per month through the coalition's school readiness program
 384 during the previous 12 months.

385 ~~3. If an early learning coalition would serve fewer~~
 386 ~~children than the minimum number established under subparagraph~~
 387 ~~2., the coalition must merge with another county to form a~~
 388 ~~multicounty coalition. The Office of Early Learning shall adopt~~
 389 ~~procedures for merging early learning coalitions, including~~
 390 ~~procedures for the consolidation of merging coalitions, and for~~
 391 ~~the early termination of the terms of coalition members which~~

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392 ~~are necessary to accomplish the mergers. However, the Office of~~
393 ~~Early Learning shall grant a waiver to an early learning~~
394 ~~coalition to serve fewer children than the minimum number~~
395 ~~established under subparagraph 2., if:~~

396 ~~a. The Office of Early Learning has determined during the~~
397 ~~most recent review of the coalition's school readiness plan, or~~
398 ~~through monitoring and performance evaluations conducted under~~
399 ~~paragraph (4)(1), that the coalition has substantially~~
400 ~~implemented its plan;~~

401 ~~b. The coalition demonstrates to the Office of Early~~
402 ~~Learning the coalition's ability to effectively and efficiently~~
403 ~~implement the Voluntary Prekindergarten Education Program; and~~

404 ~~c. The coalition demonstrates to the Office of Early~~
405 ~~Learning that the coalition can perform its duties in accordance~~
406 ~~with law.~~

407
408 ~~If an early learning coalition fails or refuses to merge as~~
409 ~~required by this subparagraph, the Office of Early Learning may~~
410 ~~dissolve the coalition and temporarily contract with a qualified~~
411 ~~entity to continue school readiness and prekindergarten services~~
412 ~~in the coalition's county or multicounty region until the office~~
413 ~~reestablishes the coalition and a new school readiness plan is~~
414 ~~approved by the office.~~

415 ~~3.4.~~ Each early learning coalition shall be composed of at
416 least 15 members but not more than 30 members. The Office of
417 Early Learning shall adopt standards establishing within this
418 range the minimum and maximum number of members that may be
419 appointed to an early learning coalition and procedures for

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420 identifying which members have voting privileges under
421 subparagraph 5. ~~6.~~ These standards must include variations for a
422 coalition serving a multicounty region. Each early learning
423 coalition must comply with these standards.

424 ~~4.5.~~ The Governor shall appoint the chair and two other
425 members of each early learning coalition, who must each meet the
426 same qualifications as private sector business members appointed
427 by the coalition under subparagraph 6. ~~7.~~

428 ~~5.6.~~ Each early learning coalition must include the
429 following member positions; however, in a multicounty coalition,
430 each ex officio member position may be filled by multiple
431 nonvoting members but no more than one voting member shall be
432 seated per member position. If an early learning coalition has
433 more than one member representing the same entity, only one of
434 such members may serve as a voting member:

435 a. A Department of Children and Family Services circuit
436 administrator or his or her designee who is authorized to make
437 decisions on behalf of the department.

438 b. A district superintendent of schools or his or her
439 designee who is authorized to make decisions on behalf of the
440 district.

441 c. A regional workforce board executive director or his or
442 her designee.

443 d. A county health department director or his or her
444 designee.

445 e. A children's services council or juvenile welfare board
446 chair or executive director, if applicable.

447 f. An agency head of a local licensing agency as defined

448 | in s. 402.302, where applicable.

449 | g. A president of a community college or his or her
450 | designee.

451 | h. One member appointed by a board of county commissioners
452 | or the governing board of a municipality.

453 | i. A central agency administrator, where applicable.

454 | j. A Head Start director.

455 | k. A representative of private for-profit child care
456 | providers, including private for-profit family day care homes.

457 | l. A representative of faith-based child care providers.

458 | m. A representative of programs for children with
459 | disabilities under the federal Individuals with Disabilities
460 | Education Act.

461 | ~~6.7.~~ Including the members appointed by the Governor under
462 | subparagraph 4. 5., more than one-third of the members of each
463 | early learning coalition must be private sector business members
464 | who do not have, and none of whose relatives as defined in s.
465 | 112.3143 has, a substantial financial interest in the design or
466 | delivery of the Voluntary Prekindergarten Education Program
467 | created under part V of chapter 1002 or the coalition's school
468 | readiness program. To meet this requirement an early learning
469 | coalition must appoint additional members. The Office of Early
470 | Learning shall establish criteria for appointing private sector
471 | business members. These criteria must include standards for
472 | determining whether a member or relative has a substantial
473 | financial interest in the design or delivery of the Voluntary
474 | Prekindergarten Education Program or the coalition's school
475 | readiness program.

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476 ~~7.8.~~ A majority of the voting membership of an early
477 learning coalition constitutes a quorum required to conduct the
478 business of the coalition. An early learning coalition board may
479 use any method of telecommunications to conduct meetings,
480 including establishing a quorum through telecommunications,
481 provided that the public is given proper notice of a
482 telecommunications meeting and reasonable access to observe and,
483 when appropriate, participate.

484 ~~8.9.~~ A voting member of an early learning coalition may
485 not appoint a designee to act in his or her place, except as
486 otherwise provided in this paragraph. A voting member may send a
487 representative to coalition meetings, but that representative
488 does not have voting privileges. When a district administrator
489 for the Department of Children and Family Services appoints a
490 designee to an early learning coalition, the designee is the
491 voting member of the coalition, and any individual attending in
492 the designee's place, including the district administrator, does
493 not have voting privileges.

494 ~~9.10.~~ Each member of an early learning coalition is
495 subject to ss. 112.313, 112.3135, and 112.3143. For purposes of
496 s. 112.3143(3)(a), each voting member is a local public officer
497 who must abstain from voting when a voting conflict exists.

498 ~~10.11.~~ For purposes of tort liability, each member or
499 employee of an early learning coalition shall be governed by s.
500 768.28.

501 ~~11.12.~~ An early learning coalition serving a multicounty
502 region must include representation from each county.

503 ~~12.13.~~ Each early learning coalition shall establish terms

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504 for all appointed members of the coalition. The terms must be
505 staggered and must be a uniform length that does not exceed 4
506 years per term. Coalition chairs shall be appointed for 4 years
507 in conjunction with their membership on the Early Learning
508 Advisory Council under s. 20.052. Appointed members may serve a
509 maximum of two consecutive terms. When a vacancy occurs in an
510 appointed position, the coalition must advertise the vacancy.

511 (b) Limitation.—Except as provided by law, the early
512 learning coalitions may not impose requirements on a child care
513 or early childhood education provider that does not deliver
514 services under the school readiness programs or receive state,
515 federal, required maintenance of effort, or matching funds under
516 this section.

517 (c) Program expectations.—

518 1. The school readiness program must meet the following
519 expectations:

520 a. The program must, at a minimum, enhance the age-
521 appropriate progress of each child in attaining the performance
522 standards and outcome measures adopted by the Office of Early
523 Learning.

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

527 c. The program must provide a coordinated professional
528 development system that supports the achievement and maintenance
529 of core competencies by school readiness instructors in helping
530 children attain the performance standards and outcome measures
531 adopted by the Office of Early Learning.

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532 d. There must be expanded access to community services and
533 resources for families to help achieve economic self-
534 sufficiency.

535 e. There must be a single point of entry and unified
536 waiting list. As used in this sub-subparagraph, the term "single
537 point of entry" means an integrated information system that
538 allows a parent to enroll his or her child in the school
539 readiness program at various locations throughout a county, that
540 may allow a parent to enroll his or her child by telephone or
541 through an Internet website, and that uses a unified waiting
542 list to track eligible children waiting for enrollment in the
543 school readiness program. The Office of Early Learning shall
544 establish through technology a single statewide information
545 system that each coalition must use for the purposes of managing
546 the single point of entry, tracking children's progress,
547 coordinating services among stakeholders, determining
548 eligibility, tracking child attendance, and streamlining
549 administrative processes for providers and early learning
550 coalitions.

551 ~~f. The Office of Early Learning must consider the access~~
552 ~~of eligible children to the school readiness program, as~~
553 ~~demonstrated in part by waiting lists, before approving a~~
554 ~~proposed increase in payment rates submitted by an early~~
555 ~~learning coalition. In addition, early learning coalitions shall~~
556 ~~use school readiness funds made available due to enrollment~~
557 ~~shifts from school readiness programs to the Voluntary~~
558 ~~Prekindergarten Education Program for increasing the number of~~
559 ~~children served in school readiness programs before increasing~~

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560 ~~payment rates.~~

561 ~~f.g.~~ The program must meet all state licensing guidelines,
562 where applicable.

563 ~~g.h.~~ The program must ensure that minimum standards for
564 child discipline practices are age-appropriate. Such standards
565 must provide that children not be subjected to discipline that
566 is severe, humiliating, or frightening or discipline that is
567 associated with food, rest, or toileting. Spanking or any other
568 form of physical punishment is prohibited.

569 2. Each early learning coalition must implement a
570 comprehensive program of school readiness services in accordance
571 with the rules adopted by the office which enhance the
572 cognitive, social, and physical development of children to
573 achieve the performance standards and outcome measures. At a
574 minimum, these programs must contain the following system
575 support service elements:

576 a. Developmentally appropriate curriculum designed to
577 enhance the age-appropriate progress of children in attaining
578 the performance standards adopted by the Office of Early
579 Learning under subparagraph (5) (d) 7. ~~(4) (d) 8.~~

580 b. A character development program to develop basic
581 values.

582 c. An age-appropriate screening of each child's
583 development.

584 d. An age-appropriate assessment administered to children
585 when they enter a program and an age-appropriate assessment
586 administered to children when they leave the program.

587 e. An appropriate staff-to-children ratio, pursuant to s.

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588 402.305(4) or s. 402.302(8) or (11), as applicable, and as
 589 verified pursuant to s. 402.311.

590 f. A healthy and safe environment pursuant to s.
 591 401.305(5), (6), and (7), as applicable, and as verified
 592 pursuant to s. 402.311.

593 g. A resource and referral network established under s.
 594 411.0101 to assist parents in making an informed choice and a
 595 regional Warm-Line under s. 411.01015.

596
 597 The Office of Early Learning and early learning coalitions shall
 598 coordinate with the Child Care Services Program Office of the
 599 Department of Children and Family Services to minimize
 600 duplicating interagency activities pertaining to acquiring and
 601 composing data for child care training and credentialing.

602 (d) Implementation.—

603 1. An early learning coalition may not implement the
 604 school readiness program until the coalition's school readiness
 605 plan is approved by the Office of Early Learning.

606 2. Each early learning coalition shall coordinate with one
 607 another to implement a comprehensive program of school readiness
 608 services which enhances the cognitive, social, physical, and
 609 moral character of the children to achieve the performance
 610 standards and outcome measures and which helps families achieve
 611 economic self-sufficiency. Such program must contain, at a
 612 minimum, the following elements:

613 a. Implement the school readiness program to meet the
 614 requirements of this section and the system support services,
 615 performance standards, and outcome measures adopted by the

616 Office of Early Learning.

617 b. Demonstrate how the program will ensure that each child
 618 from birth through 5 years of age in a publicly funded school
 619 readiness program receives scheduled activities and instruction
 620 designed to enhance the age-appropriate progress of the children
 621 in attaining the performance standards adopted by the department
 622 under subparagraph (5) (d) 7. ~~(4) (d) 8.~~

623 c. Ensure that the coalition has solicited and considered
 624 comments regarding the proposed school readiness plan from the
 625 local community.

626

627 Before implementing the school readiness program, the early
 628 learning coalition must submit the plan to the office for
 629 approval. The office may approve the plan, reject the plan, or
 630 approve the plan with conditions. The office shall review school
 631 readiness plans at least every 2 years.

632 3. If the Office of Early Learning determines during the
 633 review of school readiness plans, or through monitoring and
 634 performance evaluations conducted under paragraph (5) (k) ~~(4) (l)~~,
 635 that an early learning coalition has not substantially
 636 implemented its plan, has not substantially met the performance
 637 standards and outcome measures adopted by the office, or has not
 638 effectively administered the school readiness program or
 639 Voluntary Prekindergarten Education Program, the office may
 640 dissolve the coalition and temporarily contract with a qualified
 641 entity to continue school readiness and prekindergarten services
 642 in the coalition's county or multicounty region until the office
 643 reestablishes the coalition and a new school readiness plan is

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644 approved in accordance with the rules adopted by the office.

645 4. The Office of Early Learning shall adopt rules
646 establishing criteria for the approval of school readiness
647 plans. The criteria must be consistent with the system support
648 services, performance standards, and outcome measures adopted by
649 the office and must require each approved plan to include the
650 following minimum standards for the school readiness program:

651 a. A community plan that addresses the needs of all
652 children and providers within the coalition's county or
653 multicounty region.

654 ~~b. A sliding fee scale establishing a copayment for~~
655 ~~parents based upon their ability to pay, which is the same for~~
656 ~~all program providers.~~

657 b.e. A choice of settings and locations in licensed,
658 registered, religious-exempt, or school-based programs to be
659 provided to parents.

660 ~~d. Specific eligibility priorities for children in~~
661 ~~accordance with subsection (6).~~

662 c.e. Performance standards and outcome measures adopted by
663 the office.

664 ~~f. Payment rates adopted by the early learning coalitions~~
665 ~~and approved by the office. Payment rates may not have the~~
666 ~~effect of limiting parental choice or creating standards or~~
667 ~~levels of services that have not been expressly established by~~
668 ~~the Legislature, unless the creation of such standards or levels~~
669 ~~of service, which must be uniform throughout the state, has been~~
670 ~~approved by the Federal Government and result in the state being~~
671 ~~eligible to receive additional federal funds available for early~~

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672 ~~learning on a statewide basis.~~

673 ~~g. Direct enhancement services for families and children.~~
674 ~~System support and direct enhancement services shall be in~~
675 ~~addition to payments for the placement of children in school~~
676 ~~readiness programs. Direct enhancement services for families may~~
677 ~~include parent training and involvement activities and~~
678 ~~strategies to meet the needs of unique populations and local~~
679 ~~eligibility priorities. Enhancement services for children may~~
680 ~~include provider supports and professional development approved~~
681 ~~in the plan by the Office of Early Learning.~~

682 d.h. The business organization of the early learning
683 coalition, which must include the coalition's articles of
684 incorporation and bylaws if the coalition is organized as a
685 corporation. If the coalition is not organized as a corporation
686 or other business entity, the plan must include the contract
687 with a fiscal agent. An early learning coalition may contract
688 with other coalitions to achieve efficiency in multicounty
689 services, and these contracts may be part of the coalition's
690 school readiness plan.

691 ~~i. The implementation of locally developed quality~~
692 ~~programs in accordance with the requirements adopted by the~~
693 ~~office under subparagraph (4)(d)5.~~

694
695 The Office of Early Learning may request the Governor to apply
696 for a waiver to allow the coalition to administer the Head Start
697 Program to accomplish the purposes of the school readiness
698 program.

699 5. Persons with an early childhood teaching certificate

700 may provide support and supervision to other staff in the school
701 readiness program.

702 6. An early learning coalition may not implement its
703 school readiness plan until it submits the plan to and receives
704 approval from the Office of Early Learning. Once the plan is
705 approved, the plan and the services provided under the plan
706 shall be controlled by the early learning coalition. The plan
707 shall be reviewed and revised as necessary, but at least
708 biennially. An early learning coalition may not implement the
709 revisions until the coalition submits the revised plan to and
710 receives approval from the office. If the office rejects a
711 revised plan, the coalition must continue to operate under its
712 prior approved plan.

713 7. Section 125.901(2)(a)3. does not apply to school
714 readiness programs. The Office of Early Learning may apply to
715 the Governor and Cabinet for a waiver of, and the Governor and
716 Cabinet may waive, any of the provisions of ss. 411.223 and
717 1003.54, if the waiver is necessary for implementation of school
718 readiness programs.

719 8. Two or more early learning coalitions may join for
720 purposes of planning and implementing a school readiness
721 program.

722 (e) Requests for proposals; ~~payment schedule.~~

723 ~~1.~~ Each early learning coalition must comply with federal
724 ~~the procurement~~ requirements and the expenditure requirements of
725 ~~procedures adopted by the Office of Early Learning, including,~~
726 ~~but not limited to, applying the procurement and expenditure~~
727 ~~procedures required by federal and state law and state rules for~~

728 ~~the expenditure of federal funds.~~

729 ~~2. Each early learning coalition shall adopt a payment~~
 730 ~~schedule that encompasses all programs funded under this~~
 731 ~~section. The payment schedule must take into consideration the~~
 732 ~~prevailing market rate, must include the projected number of~~
 733 ~~children to be served, and must be submitted for approval by the~~
 734 ~~Office of Early Learning. Informal child care arrangements shall~~
 735 ~~be reimbursed at not more than 50 percent of the rate adopted~~
 736 ~~for a family day care home.~~

737 (f) Evaluation and annual report.—Each early learning
 738 coalition shall conduct an evaluation of its implementation of
 739 the school readiness program, including system support services,
 740 performance standards, and outcome measures, and shall provide
 741 an annual report and fiscal statement to the Office of Early
 742 Learning. This report must also include an evaluation of the
 743 effectiveness of its direct enhancement services and conform to
 744 the content and format specifications adopted by the Office of
 745 Early Learning. The Office of Early Learning must include an
 746 analysis of the early learning coalitions' reports in the
 747 office's annual report.

748 ~~(7) (6) PROGRAM ELIGIBILITY AND ENROLLMENT.—The school~~
 749 ~~readiness program is established for children from birth to the~~
 750 ~~beginning of the school year for which a child is eligible for~~
 751 ~~admission to kindergarten in a public school under s.~~
 752 ~~1003.21(1)(a)2. or who are eligible for any federal subsidized~~
 753 ~~child care program.~~

754 (a) Each early learning coalition shall give priority for
 755 participation in the school readiness program as follows:

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756 1.(a) Priority shall be given first to a child from birth
757 through age 12 from a working family that includes in which
758 ~~there is~~ an adult receiving temporary cash assistance under
759 chapter 414 who is subject to federal work requirements.

760 2.(b) Priority shall be given next to a child from birth
761 through age 8 from a working family who is eligible for a school
762 readiness program but who has not yet entered school, who is
763 served by the Family Safety Program Office of the Department of
764 Children and Family Services or a community-based lead agency
765 under chapter 39 or chapter 409, and for whom child care is
766 needed to minimize the risk of ~~further~~ abuse, neglect, or
767 abandonment.

768 3. Priority shall be given next to a child from birth to
769 the beginning of the school year for which the child is eligible
770 for admission to kindergarten in a public school under s.
771 1003.21(1)(a)2. from a working family that is economically
772 disadvantaged. However, the child ceases to be eligible if his
773 or her family income exceeds 200 percent of the federal poverty
774 level.

775 4. Priority shall be given last to a child enrolled
776 concurrently in the federal Head Start Program and the Voluntary
777 Prekindergarten Education Program.

778 (b) A school readiness provider may be paid only for
779 authorized hours of care provided for a child in the school
780 readiness program. A child enrolled in the Voluntary
781 Prekindergarten Education Program may receive part-time care
782 from the school readiness program if the child is eligible

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783 according to the eligibility priorities provided in paragraph
784 (a).

785 (c) A coalition shall enroll all eligible children,
786 including those from its waiting list, according to the
787 eligibility priorities provided in paragraph (a).

788 (d) The parent of a child enrolled in the school readiness
789 program must notify the coalition or its designee within 10 days
790 after any change in employment, income, or family size.

791 (e) A child ceases to be eligible for the school readiness
792 program if a parent with whom the child resides does not
793 reestablish employment within 30 days after becoming unemployed.

794 (f) Eligibility for each child must be reevaluated
795 annually. Upon reevaluation, a child may not continue to receive
796 school readiness services if he or she has ceased to be eligible
797 under this subsection.

798 (g) If a coalition must disenroll children from the school
799 readiness program, the coalition shall disenroll the children in
800 reverse order of the priorities listed in paragraph (a),
801 beginning with children from families with the highest family
802 incomes.

803 (h)1. If a child is absent for 5 consecutive days without
804 contact from the parent, the school readiness provider shall
805 report the absences to the early learning coalition for a
806 determination of the need for continued care.

807 2. For an at-risk child, the school readiness provider
808 shall report any unexcused absence or seven consecutive excused
809 absences to the coalition and the Department of Children and
810 Family Services or community-based organization.

811 ~~(c) Subsequent priority shall be given to a child who~~
 812 ~~meets one or more of the following criteria:~~

813 ~~1. A child who is younger than the age of kindergarten~~
 814 ~~eligibility and:~~

815 ~~a. Is at risk of welfare dependency, including an~~
 816 ~~economically disadvantaged child, a child of a participant in~~
 817 ~~the welfare transition program, a child of a migratory~~
 818 ~~agricultural worker, or a child of a teen parent.~~

819 ~~b. Is a member of a working family that is economically~~
 820 ~~disadvantaged.~~

821 ~~e. For whom financial assistance is provided through the~~
 822 ~~Relative Caregiver Program under s. 39.5085.~~

823 ~~2. A 3-year-old child or 4-year-old child who may not be~~
 824 ~~economically disadvantaged but who has a disability; has been~~
 825 ~~served in a specific part-time exceptional education program or~~
 826 ~~a combination of part-time exceptional education programs with~~
 827 ~~required special services, aids, or equipment; and was~~
 828 ~~previously reported for funding part time under the Florida~~
 829 ~~Education Finance Program as an exceptional student.~~

830 ~~3. An economically disadvantaged child, a child with a~~
 831 ~~disability, or a child at risk of future school failure, from~~
 832 ~~birth to 4 years of age, who is served at home through a home~~
 833 ~~visitor program and an intensive parent education program.~~

834 ~~4. A child who meets federal and state eligibility~~
 835 ~~requirements for the migrant preschool program but who is not~~
 836 ~~economically disadvantaged.~~

837

838 ~~As used in this paragraph, the term "economically disadvantaged"~~

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839 ~~means having a family income that does not exceed 150 percent of~~
840 ~~the federal poverty level. Notwithstanding any change in a~~
841 ~~family's economic status, but subject to additional family~~
842 ~~contributions in accordance with the sliding fee scale, a child~~
843 ~~who meets the eligibility requirements upon initial registration~~
844 ~~for the program remains eligible until the beginning of the~~
845 ~~school year for which the child is eligible for admission to~~
846 ~~kindergarten in a public school under s. 1003.21(1)(a)2.~~

847 (8)~~(7)~~ PARENTAL CHOICE.—

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

851 (b) As used in this subsection, the term "payment
852 certificate" means a child care certificate as defined in 45
853 C.F.R. s. 98.2.

854 (c) The school readiness program shall, in accordance with
855 45 C.F.R. s. 98.30, provide parental choice through a payment
856 certificate that ensures, to the maximum extent possible,
857 flexibility in the school readiness program and payment
858 arrangements. The payment certificate must bear the names of the
859 beneficiary and the program provider and, when redeemed, must
860 bear the signatures of both the beneficiary and an authorized
861 representative of the provider.

862 (d) If it is determined that a provider has given any cash
863 to the beneficiary in return for receiving a payment
864 certificate, the early learning coalition or its fiscal agent
865 shall refer the matter to the Department of Financial Services
866 pursuant to s. 414.411 for investigation.

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867 (e) The office of the Chief Financial Officer shall
868 establish an electronic transfer system for the disbursement of
869 funds in accordance with this subsection. Each early learning
870 coalition shall fully implement the electronic funds transfer
871 system within 2 years after approval of the coalition's school
872 readiness plan, unless a waiver is obtained from the Office of
873 Early Learning.

874 (9)~~(8)~~ STANDARDS; OUTCOME MEASURES.—A program provider
875 participating in the school readiness program must meet the
876 performance standards and outcome measures adopted by the Office
877 of Early Learning.

878 (10)~~(9)~~ FUNDING; SCHOOL READINESS PROGRAM.—

879 (a) Funding for the school readiness program shall be
880 allocated among the early learning coalitions in accordance with
881 this section as provided in the General Appropriations Act.

882 ~~(a) It is the intent of this section to establish an~~
883 ~~integrated and quality seamless service delivery system for all~~
884 ~~publicly funded early childhood education and child care~~
885 ~~programs operating in this state.~~

886 (b)1. The Office of Early Learning shall administer school
887 readiness funds, ~~plans, and policies~~ and shall prepare and
888 submit a unified budget request for the school readiness system
889 in accordance with chapter 216.

890 2. All instructions to early learning coalitions for
891 administering this section shall emanate from the Office of
892 Early Learning in accordance with the policies of the
893 Legislature.

894 ~~(c) The Office of Early Learning, subject to legislative~~

895 ~~notice and review under s. 216.177, shall establish a formula~~
 896 ~~for the allocation of all state and federal school readiness~~
 897 ~~funds provided for children participating in the school~~
 898 ~~readiness program, whether served by a public or private~~
 899 ~~provider, based upon equity for each county. The allocation~~
 900 ~~formula must be submitted to the Governor, the chair of the~~
 901 ~~Senate Ways and Means Committee or its successor, and the chair~~
 902 ~~of the House of Representatives Fiscal Council or its successor~~
 903 ~~no later than January 1 of each year. If the Legislature~~
 904 ~~specifies changes to the allocation formula, the Office of Early~~
 905 ~~Learning shall allocate funds as specified in the General~~
 906 ~~Appropriations Act.~~

907 (c)~~(d)~~ All state, federal, and required local maintenance-
 908 of-effort or matching funds provided to an early learning
 909 coalition for purposes of this section shall be used for
 910 implementation of its approved school readiness plan, including
 911 the hiring of staff to effectively operate the coalition's
 912 school readiness program. ~~As part of plan approval and periodic~~
 913 ~~plan review, the Office of Early Learning shall require that~~
 914 ~~administrative~~

915 (d) Costs shall be kept to the minimum necessary for the
 916 efficient and effective administration of the school readiness
 917 program plan, but, of the funds described in paragraph (c):

918 1. No more than 4 percent may be expended for ~~total~~
 919 administrative activities as described in 45 C.F.R. s. 98.52,
 920 which shall be limited to the following:

921 a. Planning for local implementation of the school
 922 readiness program.

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- 923 b. Providing local officials and the public with
924 information about the school readiness program to support
925 fundraising efforts for local matching funds.
- 926 c. Monitoring program activities for compliance with
927 program requirements.
- 928 d. Evaluating and reporting program activities and
929 accomplishments to the Office of Early Learning.
- 930 e. Maintaining substantiated complaint files.
- 931 f. Coordinating with state and local child care, early
932 childhood education, and before-school and after-school care
933 programs for the provision of school readiness services.
- 934 g. Paying travel expenses.
- 935 h. Accounting and audit services.
- 936 i. Purchasing goods and services required for the
937 administration of the program.
- 938 j. Indirect costs.
- 939 2. No more than 6 percent may be expended for activities
940 to improve the quality of child care as described in 45 C.F.R.
941 s. 98.51, which shall be limited to the following:
- 942 a. Developing, establishing, expanding, operating, and
943 coordinating resource and referral programs specifically related
944 to the provision of comprehensive consumer education to parents
945 and the public regarding participation in the school readiness
946 program.
- 947 b. Awarding grants to school readiness providers to assist
948 them in implementing developmentally appropriate curricula and
949 related classroom resources that support the curricula and
950 providing literacy supports.

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951 c. Providing training to school readiness providers on
952 child performance standards, child screenings, child
953 assessments, developmentally appropriate curricula, character
954 development, teacher-child interactions, age-appropriate
955 discipline practices, health and safety, nutrition, first aid,
956 the recognition of communicable diseases, and child abuse
957 detection and prevention.

958 d. Providing from among the funds provided for the
959 activities described in sub-subparagraphs a.-c. adequate funding
960 of direct services for infants and toddlers as necessary to meet
961 federal requirements related to expenditures for quality
962 activities for infant and toddler care.

963 3. No more than 8 percent may be expended for nondirect
964 services required to administer the school program, which shall
965 be limited to the following:

966 a. Eligibility determination and redetermination.

967 b. Enrollment processes and services.

968 c. Processing and tracking attendance records.

969 d. Paying providers.

970 e. Review and supervision of child care placements to
971 ensure compliance with federal, state, and local laws.

972 f. Preparation and participation in judicial hearings.

973 g. Child care placement.

974 h. The establishment and maintenance of computerized child
975 care information systems necessary to implement the school
976 readiness program.

977

978 As used in this subparagraph, the term "nondirect services" does

979 not include payments to school readiness providers for direct
 980 services provided to eligible children pursuant to subsection
 981 (7), administrative activities described in subparagraph 1., or
 982 quality activities described in subparagraph 2. expenditures
 983 ~~must not exceed 5 percent unless specifically waived by the~~
 984 ~~Office of Early Learning. The Office of Early Learning shall~~
 985 ~~annually report to the Legislature any problems relating to~~
 986 ~~administrative costs.~~

987 (e)1. A sliding fee scale percentage shall be provided in
 988 the General Appropriations Act, which shall be the same for all
 989 school readiness providers. A parent's copayment for the school
 990 readiness program shall be determined by multiplying the sliding
 991 fee scale percentage by the family income and adjusting for
 992 family size.

993 2. Each early learning coalition shall implement the
 994 sliding fee scale as provided in the General Appropriations Act.
 995 A coalition may, on a case-by-case basis, waive the copayment
 996 for an at-risk child or temporarily waive the copayment for a
 997 child whose family experiences a natural disaster or emergency
 998 situation such as a household fire or burglary.

999 (f)1. An adjusted payment rate percentage shall be
 1000 provided in the General Appropriations Act, which shall be used
 1001 to determine annual payment rates for school readiness
 1002 providers. The annual payment rates for each type of school
 1003 readiness provider and level of care shall be calculated by:

1004 a. Multiplying the prevailing market rate for the
 1005 respective type of school readiness provider and level of care
 1006 by the adjusted payment rate percentage;

1007 b. Adjusting the product of sub-subparagraph a. by the
 1008 district cost differential as provided in s. 1011.62(2) for the
 1009 county in which the school readiness provider is located; and

1010 c. If the school readiness provider has the Gold Seal
 1011 Quality Care designation under s. 402.281, multiplying the
 1012 product of sub-subparagraph b. by the Gold Seal premium
 1013 percentage.

1014 2. A school readiness provider's total payment for a child
 1015 shall be equal to the payment rate calculated under subparagraph
 1016 1. less the amount of the parent's copayment as determined under
 1017 paragraph (e). However, payments made to the school readiness
 1018 provider may not exceed the provider's charges to the general
 1019 public for the same services.

1020 (g) The Office of Early Learning may request a budget
 1021 amendment to increase the adjusted payment rate percentage for a
 1022 specific geographic area in order to ensure that care levels are
 1023 available throughout the state. Any request to increase an
 1024 adjusted payment rate percentage must be funded through the
 1025 current year's appropriation and within each early learning
 1026 coalition's allocation for the affected geographic area. The
 1027 budget amendment is subject to review and approval by the
 1028 Legislative Budget Commission.

1029 ~~(e) The Office of Early Learning shall annually~~
 1030 ~~distribute, to a maximum extent practicable, all eligible funds~~
 1031 ~~provided under this section as block grants to the early~~
 1032 ~~learning coalitions in accordance with the terms and conditions~~
 1033 ~~specified by the office.~~

1034 (h)-(f) State funds appropriated for the school readiness

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1035 program may not be used for the construction of new facilities
 1036 or the purchase of buses.

1037 ~~(i)(g)~~ All cost savings and all revenues received through
 1038 a mandatory sliding fee scale shall be used to help fund each
 1039 early learning coalition's school readiness program.

1040 ~~(10) CONFLICTING PROVISIONS. If a conflict exists between~~
 1041 ~~this section and federal requirements, the federal requirements~~
 1042 ~~control.~~

1043 (11) SUBSTITUTE INSTRUCTORS.—Each school district shall
 1044 make a list of all individuals currently eligible to act as a
 1045 substitute teacher within the county pursuant to the rules
 1046 adopted by the school district pursuant to s. 1012.35 available
 1047 to an early learning coalition serving students within the
 1048 school district. Child care facilities, as defined by s.
 1049 402.302, may employ individuals listed as substitute instructors
 1050 for the purpose of offering the school readiness program, the
 1051 Voluntary Prekindergarten Education Program, and all other
 1052 legally operating child care programs.

1053 (12) FRAUDULENT REPORTING OF CHILD ATTENDANCE.—A school
 1054 readiness provider or parent may not knowingly submit false
 1055 information to the Office of Early Learning or an early learning
 1056 coalition which relates to the eligibility of a child for
 1057 enrollment in a school readiness program or relates to a child's
 1058 attendance in the school readiness program. A person who
 1059 violates this subsection commits a misdemeanor of the first
 1060 degree, punishable as provided in s. 775.082 or s. 775.083.

1061 Section 2. Paragraph (a) of subsection (8) of section
 1062 216.136, Florida Statutes, is amended to read:

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1063 216.136 Consensus estimating conferences; duties and
 1064 principals.—

1065 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

1066 (a) The Early Learning Programs Estimating Conference
 1067 shall develop estimates and forecasts of the unduplicated count
 1068 of children eligible for school readiness programs in accordance
 1069 with the standards of eligibility established in s. 411.01(7)
 1070 ~~411.01(6)~~, and of children eligible for the Voluntary
 1071 Prekindergarten Education Program in accordance with s.
 1072 1002.53(2), as the conference determines are needed to support
 1073 the state planning, budgeting, and appropriations processes.

1074 Section 3. Subsection (1) and paragraph (a) of subsection
 1075 (3) of section 411.0101, Florida Statutes, are amended to read:

1076 411.0101 Child care and early childhood resource and
 1077 referral.—

1078 (1) As a part of the school readiness programs, the Office
 1079 of Early Learning shall establish a statewide child care
 1080 resource and referral network that is unbiased and provides
 1081 referrals to families for child care. Preference shall be given
 1082 to using the already established early learning coalitions as
 1083 the child care resource and referral agencies. If an early
 1084 learning coalition cannot comply with the requirements to offer
 1085 the resource information component or does not want to offer
 1086 that service, the early learning coalition shall select the
 1087 resource and referral agency for its county or multicounty
 1088 region based upon a request for proposal pursuant to s.
 1089 411.01(6)(e) ~~411.01(5)(e)1~~.

1090 (3) Child care resource and referral agencies shall

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1091 provide the following services:

1092 (a) Identification of existing public and private child
 1093 care and early childhood education services, including child
 1094 care services by public and private employers, and the
 1095 development of a resource file of those services through the
 1096 single statewide information system developed by the Office of
 1097 Early Learning under s. 411.01(6)(c) ~~1.e. 411.01(5)(e)1.e.~~ These
 1098 services may include family day care, public and private child
 1099 care programs, the Voluntary Prekindergarten Education Program,
 1100 Head Start, the school readiness program, special education
 1101 programs for prekindergarten children with disabilities,
 1102 services for children with developmental disabilities, full-time
 1103 and part-time programs, before-school and after-school programs,
 1104 vacation care programs, parent education, the Temporary Cash
 1105 Assistance Program, and related family support services. The
 1106 resource file shall include, but not be limited to:

- 1107 1. Type of program.
- 1108 2. Hours of service.
- 1109 3. Ages of children served.
- 1110 4. Number of children served.
- 1111 5. Significant program information.
- 1112 6. Fees and eligibility for services.
- 1113 7. Availability of transportation.

1114 Section 4. Section 411.01013, Florida Statutes, is amended
 1115 to read:

1116 411.01013 Prevailing market rate schedule.-

1117 (1) As used in this section, the terms ~~term:~~

1118 ~~(a) "market rate" and means the price that a child care~~

1119 ~~provider charges for daily, weekly, or monthly child care~~
 1120 ~~services.~~

1121 ~~(b) "prevailing market rate" have the same meanings as~~
 1122 ~~provided in s. 411.01 means the annually determined 75th~~
 1123 ~~percentile of a reasonable frequency distribution of the market~~
 1124 ~~rate in a predetermined geographic market at which child care~~
 1125 ~~providers charge a person for child care services.~~

1126 (2) The Office of Early Learning shall establish
 1127 ~~procedures for the adoption of a prevailing market rate~~
 1128 ~~schedule. The schedule must include, at a minimum, county by-~~
 1129 ~~county rates:~~

1130 ~~(a) At the prevailing market rate, plus the maximum rate,~~
 1131 ~~for child care providers that hold a Gold Seal Quality Care~~
 1132 ~~designation under s. 402.281.~~

1133 ~~(b) At the prevailing market rate for child care providers~~
 1134 ~~that do not hold a Gold Seal Quality Care designation.~~

1135 ~~(3) The prevailing market rate schedule, at a minimum,~~
 1136 ~~must:~~

1137 (a) Differentiate rates by type, including, but not
 1138 limited to, ~~a child care provider that holds a Gold Seal Quality~~
 1139 ~~Care designation under s. 402.281, a child care facility~~
 1140 licensed under s. 402.305, a public or nonpublic school exempt
 1141 from licensure under s. 402.3025, a faith-based child care
 1142 facility exempt from licensure under s. 402.316 ~~that does not~~
 1143 ~~hold a Gold Seal Quality Care designation, a large family child~~
 1144 care home licensed under s. 402.3131, or a family day care home
 1145 licensed or registered under s. 402.313.

1146 (b) Differentiate rates by the type of child care services

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1147 provided for ~~children with special needs or risk categories,~~
 1148 infants, toddlers, preschool-age children, and school-age
 1149 children.

1150 (c) Differentiate rates between full-time and part-time
 1151 child care services.

1152 ~~(d) Consider discounted rates for child care services for~~
 1153 ~~multiple children in a single family.~~

1154 (3)~~(4)~~ The prevailing market rate schedule must be based
 1155 exclusively on the prices charged for child care services. If a
 1156 conflict exists between this subsection and federal
 1157 requirements, the federal requirements shall control.

1158 (4)~~(5)~~ Each child care and early childhood education
 1159 provider that receives school readiness funds must submit its
 1160 market rate by August 1 of each year to the Office of Early
 1161 Learning for inclusion in the calculation of the prevailing
 1162 ~~market rate shall be considered by an early learning coalition~~
 1163 ~~in the adoption of a payment schedule in accordance with s.~~
 1164 ~~411.01(5)(c)2.~~

1165 (5)~~(6)~~ The Office of Early Learning may contract with one
 1166 or more qualified entities to administer this section and
 1167 provide support and technical assistance for child care
 1168 providers.

1169 (6)~~(7)~~ The Office of Early Learning may adopt rules
 1170 pursuant to ss. 120.536(1) and 120.54 for establishing
 1171 procedures for the collection of child care providers' market
 1172 rate, the calculation of a reasonable frequency distribution of
 1173 the market rate, and the publication of a prevailing market rate
 1174 schedule.

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1175 Section 5. Section 411.0106, Florida Statutes, is amended
 1176 to read:

1177 411.0106 Infants and toddlers in state-funded education
 1178 and care programs; brain development activities.—Each state-
 1179 funded education and care program for children from birth to 5
 1180 years of age must provide activities to foster brain development
 1181 in infants and toddlers. A program must provide an environment
 1182 that helps children attain the performance standards adopted by
 1183 the Office of Early Learning under s. 411.01(5)(d)7.

1184 ~~411.01(4)(d)8.~~ and must be rich in language and music and filled
 1185 with objects of various colors, shapes, textures, and sizes to
 1186 stimulate visual, tactile, auditory, and linguistic senses in
 1187 the children and must include classical music and at least 30
 1188 minutes of reading to the children each day. A program may be
 1189 offered through an existing early childhood program such as
 1190 Healthy Start, the Title I program, the school readiness
 1191 program, the Head Start program, or a private child care
 1192 program. A program must provide training for the infants' and
 1193 toddlers' parents including direct dialogue and interaction
 1194 between teachers and parents demonstrating the urgency of brain
 1195 development in the first year of a child's life. Family day care
 1196 centers are encouraged, but not required, to comply with this
 1197 section.

1198 Section 6. Paragraph (c) of subsection (1) of section
 1199 445.023, Florida Statutes, is amended to read:

1200 445.023 Program for dependent care for families with
 1201 children with special needs.—

1202 (1) There is created the program for dependent care for

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1203 families with children with special needs. This program is
1204 intended to provide assistance to families with children who
1205 meet the following requirements:

1206 (c) The family meets the income guidelines established
1207 under s. 411.01(7) ~~411.01(6)~~, notwithstanding any financial
1208 eligibility criteria to the contrary in s. 414.075, s. 414.085,
1209 or s. 414.095.

1210 Section 7. This act shall take effect July 1, 2012.