

By Senator Harrell

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1                                   A bill to be entitled  
2       An act relating to the Voluntary Prekindergarten  
3       Education Program; amending s. 1002.53, F.S.;  
4       requiring a parent of a student enrolled in the  
5       Voluntary Prekindergarten Education Program to submit  
6       his or her student for a specified screening;  
7       conforming provisions to changes made by the act;  
8       amending s. 1002.55, F.S.; conforming provisions to  
9       changes made by the act; amending s. 1002.59, F.S.;  
10      requiring the Office of Early Learning to make  
11      available professional development and training  
12      courses that meet certain criteria; amending ss.  
13      1002.61 and 1002.63, F.S.; conforming provisions to  
14      changes made by the act; amending s. 1002.67, F.S.;  
15      requiring the office to develop performance standards  
16      for certain mathematical and executive functioning  
17      skills; requiring the Department of Education and the  
18      office to provide for a coordinated assessment system  
19      for specified purposes; conforming provisions to  
20      changes made by the act; creating s. 1002.68, F.S.;  
21      requiring each private prekindergarten provider and  
22      public school participating in the program to  
23      participate in a program assessment; providing  
24      requirements for such assessment; requiring the office  
25      and department to develop a statewide end-of-  
26      prekindergarten screening for specified purposes;  
27      providing requirements for such screening; requiring  
28      certain data to be stored in a specified department  
29      data warehouse; requiring the office to calculate a

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30 program score for each private prekindergarten  
31 provider and public school participating in the  
32 program; requiring the office to establish a minimum  
33 program score that such providers and schools must  
34 meet; providing requirements for such providers and  
35 schools that do not meet such score; authorizing the  
36 office to grant good cause exemptions to private  
37 prekindergarten providers and public schools that meet  
38 certain criteria; providing requirements for such good  
39 cause exemptions; amending s. 1002.69, F.S.; revising  
40 the standards used to establish the statewide  
41 kindergarten screening; requiring certain screenings  
42 to be administered to students who enroll in a public  
43 school for the first time; providing reporting  
44 requirements for such screening; providing for  
45 screenings to be re-administered to certain students;  
46 providing requirements for screenings that are re-  
47 administered; requiring the department, rather than  
48 the office, to calculate each public school's  
49 kindergarten readiness rate; revising the requirements  
50 for such calculation; requiring certain data to be  
51 stored in a specified department data warehouse;  
52 conforming provisions to changes made by the act;  
53 amending s. 1002.73, F.S.; requiring the department to  
54 adopt procedures for the identification of an  
55 alternate kindergarten screening; conforming  
56 provisions to changes made by the act; amending s.  
57 1002.75, F.S.; conforming provisions to changes made  
58 by the act; providing an effective date.

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

Section 1. Paragraph (b) of subsection (5) of section 1002.53, Florida Statutes, is amended, and paragraph (d) is added to subsection (6) of that section, to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(5) The early learning coalition shall provide each parent enrolling a child in the Voluntary Prekindergarten Education Program with a profile of every private prekindergarten provider and public school delivering the program within the county where the child is being enrolled. The profiles shall be provided to parents in a format prescribed by the Office of Early Learning. The profiles must include, at a minimum, the following information about each provider and school:

(b) The provider's or school's program score ~~kindergarten readiness rate~~ calculated in accordance with s. 1002.68 ~~s. 1002.69~~, based upon the most recent available results of the ~~statewide kindergarten screening~~.

(6)

(d) Each parent who enrolls his or her child in the Voluntary Prekindergarten Education Program must submit his or her child for the statewide end-of-prekindergarten screening administered pursuant to s. 1002.68.

Section 2. Subsection (6) is added to section 1002.55, Florida Statutes, to read:

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

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88       (6) Each early learning coalition must verify that each  
89 private prekindergarten provider delivering the Voluntary  
90 Prekindergarten Education Program within the coalition's county  
91 or multicounty region complies with this part. If a private  
92 prekindergarten provider fails or refuses to comply with this  
93 part, or if a provider engages in misconduct, the office shall  
94 require the early learning coalition to remove the provider from  
95 eligibility to deliver the program and receive state funds under  
96 this part for a period of at least 2 years and up to 5 years.

97       Section 3. Section 1002.59, Florida Statutes, is amended to  
98 read:

99       1002.59 Emergent literacy and performance standards  
100 training courses and professional development.-

101       (1) The office shall adopt minimum standards for one or  
102 more training courses in emergent literacy for prekindergarten  
103 instructors. Each course must comprise 5 clock hours and provide  
104 instruction in strategies and techniques to address the age-  
105 appropriate progress of prekindergarten students in developing  
106 emergent literacy skills, including oral communication,  
107 knowledge of print and letters, phonemic and phonological  
108 awareness, and vocabulary and comprehension development. Each  
109 course must also provide resources containing strategies that  
110 allow students with disabilities and other special needs to  
111 derive maximum benefit from the Voluntary Prekindergarten  
112 Education Program. Successful completion of an emergent literacy  
113 training course approved under this section satisfies  
114 requirements for approved training in early literacy and  
115 language development under ss. 402.305(2)(e)5., 402.313(6), and  
116 402.3131(5).

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117 (2) The office shall adopt minimum standards for one or  
118 more training courses on the performance standards adopted under  
119 s. 1002.67(1) and the domains listed in s. 1002.68(1)(b), which  
120 must include, but not be limited to, training relating to  
121 mathematical thinking and executive functioning. Each course  
122 must be comprised of ~~comprise~~ at least 3 clock hours, provide  
123 instruction in strategies and techniques to address age-  
124 appropriate progress of each child in attaining the standards,  
125 and be available online.

126 (3) The office shall make available professional  
127 development and training courses that support prekindergarten  
128 instructors in increasing the competency of teacher-child  
129 interactions. Each course must be comprised of at least 8 clock  
130 hours, provide instruction in strategies and techniques to  
131 address the age-appropriate progress of each child in attaining  
132 the standards, and be available online.

133 Section 4. Subsection (9) is added to section 1002.61,  
134 Florida Statutes, to read:

135 1002.61 Summer prekindergarten program delivered by public  
136 schools and private prekindergarten providers.—

137 (9) (a) Each early learning coalition shall verify that each  
138 private prekindergarten provider delivering the Voluntary  
139 Prekindergarten Education Program within the coalition's county  
140 or multicounty region complies with this part. Each district  
141 school board shall verify that each public school delivering the  
142 program within the school district complies with this part.

143 (b) If a private prekindergarten provider or public school  
144 fails or refuses to comply with this part, or if a provider or  
145 school engages in misconduct, the office shall require the early

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146 learning coalition to remove the provider or require the school  
147 district to remove the school from eligibility to deliver the  
148 Voluntary Prekindergarten Education Program and receive state  
149 funds under this part for a period of at least 2 years and up to  
150 5 years.

151 Section 5. Subsection (9) is added to section 1002.63,  
152 Florida Statutes, to read:

153 1002.63 School-year prekindergarten program delivered by  
154 public schools.—

155 (9) (a) Each district school board shall verify that each  
156 public school delivering the Voluntary Prekindergarten Education  
157 Program within the school district complies with this part.

158 (b) If a public school fails or refuses to comply with this  
159 part, or if a school engages in misconduct, the office shall  
160 require the school district to remove the school from  
161 eligibility to deliver the Voluntary Prekindergarten Education  
162 Program and receive state funds under this part for a period of  
163 at least 2 years and up to 5 years.

164 Section 6. Section 1002.67, Florida Statutes, is amended to  
165 read:

166 1002.67 Performance standards ~~and~~ curricula ~~and~~  
167 ~~accountability.~~—

168 (1) (a) The office shall develop and adopt performance  
169 standards for students in the Voluntary Prekindergarten  
170 Education Program. The performance standards must address the  
171 age-appropriate progress of students in the development of:

172 1. The capabilities, capacities, and skills required under  
173 s. 1(b), Art. IX of the State Constitution; ~~and~~

174 2. Emergent literacy skills, including oral communication,

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175 knowledge of print and letters, phonemic and phonological  
176 awareness, and vocabulary and comprehension development;

177 3. Mathematical thinking and early math skills; and

178 4. Executive functioning skills.

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180 ~~By October 1, 2013, the office shall examine the existing~~  
181 ~~performance standards in the area of mathematical thinking and~~  
182 ~~develop a plan to make appropriate professional development and~~  
183 ~~training courses available to prekindergarten instructors.~~

184 (b) At least every 3 years, the office and the department  
185 shall jointly periodically review and, if necessary, revise the  
186 performance standards for the statewide end-of-prekindergarten  
187 kindergarten screening administered under s. 1002.68(3)(a) s.  
188 1002.69 and align the standards to the standards established by  
189 the state board for student performance on the statewide  
190 assessments administered pursuant to s. 1008.22. The office and  
191 the department shall ensure that there is a coordinated  
192 assessment system that allows for tracking the progress of  
193 students in the Voluntary Prekindergarten Education Program  
194 through grade 2 in order to provide timely interventions and  
195 supports to students not meeting grade level expectations.

196 (2) (a) Each private prekindergarten provider and public  
197 school may select or design the curriculum that the provider or  
198 school uses to implement the Voluntary Prekindergarten Education  
199 Program, except as otherwise required for a provider or school  
200 that is placed on probation under paragraph (4) (c) .

201 (b) Each private prekindergarten provider's and public  
202 school's curriculum must be developmentally appropriate and  
203 must:

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204 1. Be designed to prepare a student for early literacy and  
205 provide for instruction in early math skills;

206 2. Enhance the age-appropriate progress of students in  
207 attaining the performance standards adopted by the department  
208 under subsection (1); and

209 3. Prepare students to be ready for kindergarten based upon  
210 the statewide end-of-prekindergarten screening statewide  
211 kindergarten screening administered under s. 1002.68 ~~s. 1002.69~~.

212 (c) The office shall review and approve curricula for use  
213 by private prekindergarten providers and public schools that are  
214 placed on probation under paragraph (4) (c). The office shall  
215 maintain a list of the curricula approved under this paragraph.  
216 Each approved curriculum must meet the requirements of paragraph  
217 (b).

218 ~~(3) (a) Contingent upon legislative appropriation, each~~  
219 ~~private prekindergarten provider and public school in the~~  
220 ~~Voluntary Prekindergarten Education Program must implement an~~  
221 ~~evidence-based pre- and post-assessment that has been approved~~  
222 ~~by rule of the State Board of Education.~~

223 ~~(b) In order to be approved, the assessment must be valid,~~  
224 ~~reliable, developmentally appropriate, and designed to measure~~  
225 ~~student progress on domains which must include, but are not~~  
226 ~~limited to, early literacy, numeracy, and language.~~

227 ~~(c) The pre- and post-assessment must be administered by~~  
228 ~~individuals meeting requirements established by rule of the~~  
229 ~~State Board of Education.~~

230 ~~(4) (a) Each early learning coalition shall verify that each~~  
231 ~~private prekindergarten provider delivering the Voluntary~~  
232 ~~Prekindergarten Education Program within the coalition's county~~

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233 ~~or multicounty region complies with this part. Each district~~  
234 ~~school board shall verify that each public school delivering the~~  
235 ~~program within the school district complies with this part.~~

236 ~~(b) If a private prekindergarten provider or public school~~  
237 ~~fails or refuses to comply with this part, or if a provider or~~  
238 ~~school engages in misconduct, the office shall require the early~~  
239 ~~learning coalition to remove the provider and require the school~~  
240 ~~district to remove the school from eligibility to deliver the~~  
241 ~~Voluntary Prekindergarten Education Program and receive state~~  
242 ~~funds under this part for a period of 5 years.~~

243 ~~(c)1. If the kindergarten readiness rate of a private~~  
244 ~~prekindergarten provider or public school falls below the~~  
245 ~~minimum rate adopted by the office as satisfactory under s.~~  
246 ~~1002.69(6), the early learning coalition or school district, as~~  
247 ~~applicable, shall require the provider or school to submit an~~  
248 ~~improvement plan for approval by the coalition or school~~  
249 ~~district, as applicable, and to implement the plan; shall place~~  
250 ~~the provider or school on probation; and shall require the~~  
251 ~~provider or school to take certain corrective actions, including~~  
252 ~~the use of a curriculum approved by the office under paragraph~~  
253 ~~(2)(c) or a staff development plan to strengthen instruction in~~  
254 ~~language development and phonological awareness approved by the~~  
255 ~~office.~~

256 ~~2. A private prekindergarten provider or public school that~~  
257 ~~is placed on probation must continue the corrective actions~~  
258 ~~required under subparagraph 1., including the use of a~~  
259 ~~curriculum or a staff development plan to strengthen instruction~~  
260 ~~in language development and phonological awareness approved by~~  
261 ~~the office, until the provider or school meets the minimum rate~~

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262 ~~adopted by the office as satisfactory under s. 1002.69(6).~~  
263 ~~Failure to implement an approved improvement plan or staff~~  
264 ~~development plan shall result in the termination of the~~  
265 ~~provider's contract to deliver the Voluntary Prekindergarten~~  
266 ~~Education Program for a period of 5 years.~~

267 ~~3. If a private prekindergarten provider or public school~~  
268 ~~remains on probation for 2 consecutive years and fails to meet~~  
269 ~~the minimum rate adopted by the office as satisfactory under s.~~  
270 ~~1002.69(6) and is not granted a good cause exemption by the~~  
271 ~~office pursuant to s. 1002.69(7), the office shall require the~~  
272 ~~early learning coalition or the school district to remove, as~~  
273 ~~applicable, the provider or school from eligibility to deliver~~  
274 ~~the Voluntary Prekindergarten Education Program and receive~~  
275 ~~state funds for the program for a period of 5 years.~~

276 ~~(d) Each early learning coalition and the office shall~~  
277 ~~coordinate with the Child Care Services Program Office of the~~  
278 ~~Department of Children and Families to minimize interagency~~  
279 ~~duplication of activities for monitoring private prekindergarten~~  
280 ~~providers for compliance with requirements of the Voluntary~~  
281 ~~Prekindergarten Education Program under this part, the school~~  
282 ~~readiness program under part VI of this chapter, and the~~  
283 ~~licensing of providers under ss. 402.301-402.319.~~

284 Section 7. Section 1002.68, Florida Statutes, is created to  
285 read:

286 1002.68 Voluntary Prekindergarten Education Program  
287 Accountability.—

288 (1) (a) Each private prekindergarten provider and public  
289 school participating in the Voluntary Prekindergarten Education  
290 Program must implement an evidence-based pre- and post-

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291 assessment that can be used for determining developmentally  
292 appropriate learning gains and that has been approved by rule of  
293 the State Board of Education.

294 (b) In order to be approved, the assessment must be valid,  
295 reliable, developmentally appropriate, and designed to measure  
296 student progress on domains that include, but are not limited  
297 to, early literacy, numeracy, and language.

298 (c) The pre- and post-assessment must be administered by  
299 individuals meeting requirements established by rule of the  
300 state board.

301 (2) (a) Each private prekindergarten provider and public  
302 school in the Voluntary Prekindergarten Education Program must  
303 participate in a program assessment of each voluntary  
304 prekindergarten education classroom. The program assessment  
305 shall measure the quality of teacher-child interactions,  
306 including emotional and behavioral support, engaged support for  
307 learning, classroom organization, and instructional support for  
308 children ages 3 to 5 years.

309 (b) The program assessment must be administered by  
310 individuals meeting requirements established by rule of the  
311 state board.

312 (3) (a) The office and the department shall adopt a  
313 statewide end-of-prekindergarten screening that assesses the  
314 readiness of each student for kindergarten based upon the  
315 performance standards adopted under s. 1002.67(1) for the  
316 Voluntary Prekindergarten Education Program. The office shall  
317 require that each early learning coalition or school district  
318 administer the statewide end-of-prekindergarten screening to  
319 each prekindergarten student in the Voluntary Prekindergarten

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320 Education Program within the last 30 school days of a school-  
321 year prekindergarten program and within the last 10 days of a  
322 summer prekindergarten program.

323 (b) The statewide end-of-prekindergarten screening shall  
324 provide objective data concerning each student's readiness for  
325 kindergarten and progress in attaining the performance standards  
326 adopted by the office under s. 1002.67(1). Data from the  
327 screening, along with other available data, must be used to  
328 identify students in need of intervention and support pursuant  
329 to s. 1008.25(5).

330 (c) The statewide end-of-prekindergarten screening shall  
331 incorporate mechanisms for recognizing potential variations in  
332 kindergarten readiness rates for students with disabilities.

333 (d) The statewide end-of-prekindergarten screening must be  
334 administered by individuals meeting requirements established by  
335 rule of the state board.

336 (4) Data collected pursuant to this section must be  
337 maintained in the department's PK-20 Education Data Warehouse.

338 (5) (a) The office shall adopt a methodology for calculating  
339 each provider's program score, which must include program  
340 assessment scores, developmentally appropriate learning gain  
341 data from the pre- and post-assessment under subsection (1), and  
342 the results of the statewide end-of-prekindergarten screening.  
343 The office shall select an independent expert with experience in  
344 relevant quantitative analysis, early childhood assessment, and  
345 designing state-level accountability systems to develop the  
346 methodology, which must include a weighted formula, for  
347 calculating each provider's score.

348 (b) The office shall adopt procedures to annually calculate

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349 each private prekindergarten provider's and public school's  
350 program score based on the methodology adopted in paragraph (a).

351 (c) The office shall periodically adopt a minimum program  
352 score that, if achieved by a private prekindergarten provider or  
353 public school, would demonstrate the provider's or school's  
354 satisfactory delivery of the Voluntary Prekindergarten Education  
355 Program.

356 (6) (a) If a private prekindergarten provider's or public  
357 school's program score falls below the minimum program score,  
358 the early learning coalition or school district, as applicable,  
359 shall:

360 1. Require the provider or school to submit an improvement  
361 plan for approval by the coalition or school district, as  
362 applicable, and to implement the plan;

363 2. Place the provider or school on probation; and

364 3. Require the provider or school to take certain  
365 corrective actions, including the use of a curriculum approved  
366 by the office under s. 1002.67(2)(c) or a staff development plan  
367 to strengthen instruction in language development, phonological  
368 awareness, and mathematical thinking approved by the office.

369 (b) A private prekindergarten provider or public school  
370 that is placed on probation must continue the corrective actions  
371 required under paragraph (a) until the provider or school meets  
372 the minimum program score adopted by the office. Failure to meet  
373 the requirements of subparagraphs (a)1. and 3. shall result in  
374 the termination of the provider's or school's contract to  
375 deliver the Voluntary Prekindergarten Education Program for a  
376 period of at least 2 years and up to 5 years.

377 (c) If a private prekindergarten provider or public school

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378 remains on probation for 2 consecutive years and fails to meet  
379 the minimum program score or is not granted a good cause  
380 exemption by the office, the office shall require the early  
381 learning coalition or the school district to revoke the  
382 provider's or school's eligibility to deliver the Voluntary  
383 Prekindergarten Education Program and receive state funds for  
384 the program for a period of at least 2 years and up to 5 years.

385 (7) (a) The office, upon the request of a private  
386 prekindergarten provider or public school that remains on  
387 probation for at least 2 consecutive years and subsequently  
388 fails to meet the minimum program score adopted pursuant to  
389 paragraph (5) (c), and for good cause shown, may grant to the  
390 provider or school an exemption from being determined ineligible  
391 to deliver the Voluntary Prekindergarten Education Program and  
392 receive state funds for the program. Such exemption is valid for  
393 1 year and, upon the request of the private prekindergarten  
394 provider or public school and for good cause shown, may be  
395 renewed.

396 (b) A private prekindergarten provider's or public school's  
397 request for a good cause exemption, or renewal of such an  
398 exemption, must be submitted to the office in the manner and  
399 within the timeframes prescribed by the office and must include  
400 the following:

401 1. Data from the private prekindergarten provider or public  
402 school which documents the achievement and progress of the  
403 children served, as measured by any required screenings or  
404 assessments.

405 2. Data from the program assessment data required under  
406 paragraph (2) (a) which demonstrates effective teaching practices

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407 as recognized by the program assessment tool developer.

408 3. Data from the early learning coalition or district  
409 school board, as applicable, the Department of Children and  
410 Families, the local licensing authority, or an accrediting  
411 association, as applicable, relating to the private  
412 prekindergarten provider's or public school's compliance with  
413 state and local health and safety standards.

414 (c) The office shall adopt criteria for granting good cause  
415 exemptions. Such criteria must include, but is not limited to,  
416 all of the following:

417 1. Learning gains of children served in the Voluntary  
418 Prekindergarten Education Program by the private prekindergarten  
419 provider or public school.

420 2. Program assessment data under paragraph (2) (a) which  
421 demonstrates effective teaching practices as recognized by the  
422 program assessment tool developer.

423 3. Verification that local and state health and safety  
424 requirements are met.

425 (d) A good cause exemption may not be granted to any  
426 private prekindergarten provider or public school that has any  
427 class I violations or two or more class II violations within the  
428 2 years preceding the provider's or school's request for the  
429 exemption. For purposes of this paragraph, class I and class II  
430 violations have the same meaning as provided in s. 402.281(4).

431 (e) A private prekindergarten provider or public school  
432 granted a good cause exemption shall continue to implement its  
433 improvement plan and continue the corrective actions required  
434 under subsection (6) until the provider or school meets the  
435 minimum program score.

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

445 Section 8. Section 1002.69, Florida Statutes, is amended to  
446 read:

447 1002.69 Statewide kindergarten screening and; kindergarten  
448 ~~readiness rates; state-approved prekindergarten enrollment~~  
449 ~~screening; good cause exemption.-~~

450 (1) The department shall adopt a statewide kindergarten  
451 screening that assesses the readiness of each student for  
452 kindergarten based upon the performance standards adopted by the  
453 department under s. 1003.41 ~~s. 1002.67(1)~~ for the Voluntary  
454 ~~Prekindergarten Education Program~~. The department shall require  
455 that each school district administer the statewide kindergarten  
456 screening or an alternative kindergarten screening approved by  
457 the department to each kindergarten student in the school  
458 district within the first 30 school days of each school year or  
459 upon enrollment into public school for the first time. Each  
460 school district must provide a student's performance results to  
461 the student's teachers within 1 week and to the student's  
462 parents no later than 30 days after the administration.  
463 ~~Nonpublic schools may administer the statewide kindergarten~~  
464 ~~screening to each kindergarten student in a nonpublic school who~~

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465 ~~was enrolled in the Voluntary Prekindergarten Education Program.~~

466 (2) ~~The statewide kindergarten screening shall provide~~  
467 ~~objective data concerning each student's readiness for~~  
468 ~~kindergarten and progress in attaining the performance standards~~  
469 ~~adopted by the office under s. 1002.67(1).~~ Data from the  
470 screening, along with other available data, must be used to  
471 identify students in need of intervention and support pursuant  
472 to s. 1008.25(5).

473 (3) The statewide kindergarten screening shall incorporate  
474 mechanisms for recognizing potential variations in kindergarten  
475 readiness rates for students with disabilities.

476 (4) School districts must re-administer the statewide  
477 screening or an alternative kindergarten screening approved by  
478 the department no sooner than the last 45 days of school and no  
479 later than the last 30 days of school to all students who did  
480 not score above the readiness level. School districts must  
481 provide a student's performance results to the student's  
482 teachers within 1 week and to the student's parents no later  
483 than 30 days after the administration ~~Each parent who enrolls~~  
484 ~~his or her child in the Voluntary Prekindergarten Education~~  
485 ~~Program must submit the child for the statewide kindergarten~~  
486 ~~screening, regardless of whether the child is admitted to~~  
487 ~~kindergarten in a public school or nonpublic school. Each school~~  
488 ~~district shall designate sites to administer the statewide~~  
489 ~~kindergarten screening for children admitted to kindergarten in~~  
490 ~~a nonpublic school.~~

491 (5) The department ~~office~~ shall adopt procedures to  
492 annually calculate:

493 (a) Each private prekindergarten provider's and public

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494 school's kindergarten readiness rate, which must be expressed as  
495 the percentage of the ~~provider's or~~ school's students who are  
496 assessed as ready for kindergarten.

497 (b) The percentage of students at each school who scored  
498 below the kindergarten readiness level during the first 30 days  
499 of school who met the kindergarten readiness level by the end of  
500 the school year.

501 (c) The percentage of students at each school who did not  
502 meet the kindergarten readiness level by the end of the school  
503 year and who were promoted to first grade ~~The methodology for~~  
504 ~~calculating each provider's kindergarten readiness rate must~~  
505 ~~include student learning gains when available and the percentage~~  
506 ~~of students who meet all state readiness measures. The rates~~  
507 ~~must not include students who are not administered the statewide~~  
508 ~~kindergarten screening. The office shall determine learning~~  
509 ~~gains using a value-added measure based on growth demonstrated~~  
510 ~~by the results of the preassessment and postassessment from at~~  
511 ~~least 2 successive years of administration of the preassessment~~  
512 ~~and postassessment.~~

513 (6) Data collected pursuant to this section must be  
514 maintained in the department's PK-20 Education Data Warehouse  
515 ~~The office shall periodically adopt a minimum kindergarten~~  
516 ~~readiness rate that, if achieved by a private prekindergarten~~  
517 ~~provider or public school, would demonstrate the provider's or~~  
518 ~~school's satisfactory delivery of the Voluntary Prekindergarten~~  
519 ~~Education Program.~~

520 ~~(7) (a) Notwithstanding s. 1002.67(4)(c)3., the office, upon~~  
521 ~~the request of a private prekindergarten provider or public~~  
522 ~~school that remains on probation for 2 consecutive years or more~~

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523 ~~and subsequently fails to meet the minimum rate adopted under~~  
524 ~~subsection (6) and for good cause shown, may grant to the~~  
525 ~~provider or school an exemption from being determined ineligible~~  
526 ~~to deliver the Voluntary Prekindergarten Education Program and~~  
527 ~~receive state funds for the program. Such exemption is valid for~~  
528 ~~1 year and, upon the request of the private prekindergarten~~  
529 ~~provider or public school and for good cause shown, may be~~  
530 ~~renewed.~~

531 ~~(b) A private prekindergarten provider's or public school's~~  
532 ~~request for a good cause exemption, or renewal of such an~~  
533 ~~exemption, must be submitted to the office in the manner and~~  
534 ~~within the timeframes prescribed by the office and must include~~  
535 ~~the following:~~

536 ~~1. Submission of data by the private prekindergarten~~  
537 ~~provider or public school which documents the achievement and~~  
538 ~~progress of the children served as measured by the state-~~  
539 ~~approved prekindergarten enrollment screening and the~~  
540 ~~standardized postassessment approved by the office pursuant to~~  
541 ~~subparagraph (c)1.~~

542 ~~2. Submission and review of data available from the~~  
543 ~~respective early learning coalition or district school board,~~  
544 ~~the Department of Children and Families, local licensing~~  
545 ~~authority, or an accrediting association, as applicable,~~  
546 ~~relating to the private prekindergarten provider's or public~~  
547 ~~school's compliance with state and local health and safety~~  
548 ~~standards.~~

549 ~~3. Submission and review of data available to the office on~~  
550 ~~the performance of the children served and the calculation of~~  
551 ~~the private prekindergarten provider's or public school's~~

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552 ~~kindergarten readiness rate.~~

553 ~~(c) The office shall adopt criteria for granting good cause~~  
554 ~~exemptions. Such criteria shall include, but are not limited to:~~

555 ~~1. Learning gains of children served in the Voluntary~~  
556 ~~Prekindergarten Education Program by the private prekindergarten~~  
557 ~~provider or public school.~~

558 ~~2. Verification that local and state health and safety~~  
559 ~~requirements are met.~~

560 ~~(d) A good cause exemption may not be granted to any~~  
561 ~~private prekindergarten provider that has any class I violations~~  
562 ~~or two or more class II violations within the 2 years preceding~~  
563 ~~the provider's or school's request for the exemption. For~~  
564 ~~purposes of this paragraph, class I and class II violations have~~  
565 ~~the same meaning as provided in s. 402.281(4).~~

566 ~~(e) A private prekindergarten provider or public school~~  
567 ~~granted a good cause exemption shall continue to implement its~~  
568 ~~improvement plan and continue the corrective actions required~~  
569 ~~under s. 1002.67(4)(c)1., including the use of a curriculum~~  
570 ~~approved by the office, until the provider or school meets the~~  
571 ~~minimum rate adopted under subsection (6).~~

572 ~~(f) If a good cause exemption is granted to a private~~  
573 ~~prekindergarten provider who remains on probation for 2~~  
574 ~~consecutive years, the office shall notify the early learning~~  
575 ~~coalition of the good cause exemption and direct that the~~  
576 ~~coalition, notwithstanding s. 1002.67(4)(c)3., not remove the~~  
577 ~~provider from eligibility to deliver the Voluntary~~  
578 ~~Prekindergarten Education Program or to receive state funds for~~  
579 ~~the program, if the provider meets all other applicable~~  
580 ~~requirements of this part.~~

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581 Section 9. Paragraphs (d) and (g) of subsection (2) of  
582 section 1002.73, Florida Statutes, are amended to read:

583 1002.73 Department of Education; powers and duties;  
584 accountability requirements.—

585 (2) The department shall adopt procedures for its:

586 (d) Identification of alternative kindergarten screenings  
587 that equate to the statewide kindergarten screening established  
588 under s. 1002.69(1) ~~Implementation of, and determination of~~  
589 ~~costs associated with, the state-approved prekindergarten~~  
590 ~~enrollment screening and the standardized postassessment~~  
591 ~~approved by the department, and determination of the learning~~  
592 ~~gains of students who complete the state-approved~~  
593 ~~prekindergarten enrollment screening and the standardized~~  
594 ~~postassessment approved by the department.~~

595 ~~(g) Granting of a private prekindergarten provider's or~~  
596 ~~public school's request for a good cause exemption under s.~~  
597 ~~1002.69(7).~~

598 Section 10. Paragraph (e) of subsection (2) and paragraphs  
599 (a), (b), and (c) of subsection (3) of section 1002.75, Florida  
600 Statutes, are amended to read:

601 1002.75 Office of Early Learning; powers and duties.—

602 (2) The Office of Early Learning shall adopt procedures  
603 governing the administration of the Voluntary Prekindergarten  
604 Education Program by the early learning coalitions and school  
605 districts for:

606 (e) Verifying the compliance of private prekindergarten  
607 providers and public schools and removing providers or schools  
608 from eligibility to deliver the program due to noncompliance or  
609 misconduct ~~as provided in s. 1002.67.~~

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610 (3) The Office of Early Learning shall adopt, in  
611 consultation with and subject to approval by the department,  
612 procedures governing the administration of the Voluntary  
613 Prekindergarten Education Program by the early learning  
614 coalitions and school districts for:

615 (a) Approving improvement plans of private prekindergarten  
616 providers and public schools under s. 1002.68 ~~s. 1002.67~~.

617 (b) Placing private prekindergarten providers and public  
618 schools on probation and requiring corrective actions under s.  
619 1002.68 ~~s. 1002.67~~.

620 (c) Removing a private prekindergarten provider or public  
621 school from eligibility to deliver the program due to the  
622 provider's or school's remaining on probation beyond the time  
623 permitted under s. 1002.68 ~~s. 1002.67~~. Notwithstanding any other  
624 provision of law, if a private prekindergarten provider has been  
625 cited for a class I violation, as defined by rule, the coalition  
626 may refuse to contract with the provider or revoke the  
627 provider's eligibility to deliver the Voluntary Prekindergarten  
628 Education Program.

629 Section 11. This act shall take effect July 1, 2019.