

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: PreK-12 Innovation
 2 Subcommittee

3 Representative Grall offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraphs (a) and (d) of subsection (1) of
 8 section 20.055, Florida Statutes, are amended to read:

9 20.055 Agency inspectors general.—

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

11 (a) "Agency head" means the Governor, a Cabinet officer,
 12 or a secretary or executive director as those terms are defined
 13 in s. 20.03, the chair of the Public Service Commission, the
 14 Director of the Office of Insurance Regulation of the Financial
 15 Services Commission, the Director of the Office of Financial
 16 Regulation of the Financial Services Commission, the board of

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17 directors of the Florida Housing Finance Corporation, ~~the~~
18 ~~executive director of the Office of Early Learning,~~ and the
19 Chief Justice of the State Supreme Court.

20 (d) "State agency" means each department created pursuant
21 to this chapter and the Executive Office of the Governor, the
22 Department of Military Affairs, the Fish and Wildlife
23 Conservation Commission, the Office of Insurance Regulation of
24 the Financial Services Commission, the Office of Financial
25 Regulation of the Financial Services Commission, the Public
26 Service Commission, the Board of Governors of the State
27 University System, the Florida Housing Finance Corporation, ~~the~~
28 ~~Office of Early Learning,~~ and the state courts system.

29 Section 2. Paragraphs (c) through (j) of subsection (3) of
30 section 20.15, Florida Statutes, are redesignated as paragraphs
31 (d) through (k), respectively, present paragraph (i) of
32 subsection (3) and subsection (5) are amended, and a new
33 paragraph (c) is added to subsection (3) of that section, to
34 read:

35 20.15 Department of Education.—There is created a
36 Department of Education.

37 (3) DIVISIONS.—The following divisions of the Department
38 of Education are established:

39 (c) Division of Early Learning.

40 (j)-(i) The Office of Independent Education and Parental
41 Choice, which must include ~~the following offices:~~

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42 ~~1. The Office of Early Learning, which shall be~~
43 ~~administered by an executive director who is fully accountable~~
44 ~~to the Commissioner of Education. The executive director shall,~~
45 ~~pursuant to s. 1001.213, administer the early learning programs,~~
46 ~~including the school readiness program and the Voluntary~~
47 ~~Prekindergarten Education Program at the state level.~~

48 ~~2. the Office of K-12 School Choice, which shall be~~
49 ~~administered by an executive director who is fully accountable~~
50 ~~to the Commissioner of Education.~~

51 (5) POWERS AND DUTIES.—The State Board of Education and
52 the Commissioner of Education shall assign to the divisions such
53 powers, duties, responsibilities, and functions as are necessary
54 to ensure the greatest possible coordination, efficiency, and
55 effectiveness of education for students in Early Learning-20 K-
56 ~~20~~ education under the jurisdiction of the State Board of
57 Education.

58 Section 3. Paragraph (a) of subsection (2) of section
59 39.202, Florida Statutes, is amended to read:

60 39.202 Confidentiality of reports and records in cases of
61 child abuse or neglect.—

62 (2) Except as provided in subsection (4), access to such
63 records, excluding the name of, or other identifying information
64 with respect to, the reporter which shall be released only as
65 provided in subsection (5), shall be granted only to the
66 following persons, officials, and agencies:

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67 (a) Employees, authorized agents, or contract providers of
68 the department, the Department of Health, the Agency for Persons
69 with Disabilities, the Department of Education ~~Office of Early~~
70 ~~Learning~~, or county agencies responsible for carrying out:

- 71 1. Child or adult protective investigations;
- 72 2. Ongoing child or adult protective services;
- 73 3. Early intervention and prevention services;
- 74 4. Healthy Start services;
- 75 5. Licensure or approval of adoptive homes, foster homes,
76 child care facilities, facilities licensed under chapter 393,
77 family day care homes, providers who receive school readiness
78 funding under part VI of chapter 1002, or other homes used to
79 provide for the care and welfare of children;
- 80 6. Employment screening for caregivers in residential
81 group homes; or
- 82 7. Services for victims of domestic violence when provided
83 by certified domestic violence centers working at the
84 department's request as case consultants or with shared clients.

85
86 Also, employees or agents of the Department of Juvenile Justice
87 responsible for the provision of services to children, pursuant
88 to chapters 984 and 985.

89 Section 4. Paragraph (b) of subsection (5) of section
90 39.604, Florida Statutes, is amended to read:

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91 39.604 Rilya Wilson Act; short title; legislative intent;
92 child care; early education; preschool.—

93 (5) EDUCATIONAL STABILITY.—Just as educational stability
94 is important for school-age children, it is also important to
95 minimize disruptions to secure attachments and stable
96 relationships with supportive caregivers of children from birth
97 to school age and to ensure that these attachments are not
98 disrupted due to placement in out-of-home care or subsequent
99 changes in out-of-home placement.

100 (b) If it is not in the best interest of the child for him
101 or her to remain in his or her child care or early education
102 setting upon entry into out-of-home care, the caregiver must
103 work with the case manager, guardian ad litem, child care and
104 educational staff, and educational surrogate, if one has been
105 appointed, to determine the best setting for the child. Such
106 setting may be a child care provider that receives a Gold Seal
107 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
108 ~~provider participating in a quality rating system~~, a licensed
109 child care provider, a public school provider, or a license-
110 exempt child care provider, including religious-exempt and
111 registered providers, and nonpublic schools.

112 Section 5. Paragraph (m) of subsection (5) of section
113 212.08, Florida Statutes, is amended to read:

114 212.08 Sales, rental, use, consumption, distribution, and
115 storage tax; specified exemptions.—The sale at retail, the

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116 rental, the use, the consumption, the distribution, and the
117 storage to be used or consumed in this state of the following
118 are hereby specifically exempt from the tax imposed by this
119 chapter.

120 (5) EXEMPTIONS; ACCOUNT OF USE.—

121 (m) Educational materials purchased by certain child care
122 facilities.—Educational materials, such as glue, paper, paints,
123 crayons, unique craft items, scissors, books, ~~and~~ educational
124 toys, and curricula, purchased by a child care facility that
125 meets the standards delineated in s. 402.305, is licensed under
126 s. 402.308, holds a current Gold Seal Quality Care designation
127 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
128 insurance to all employees are exempt from the taxes imposed by
129 this chapter. For purposes of this paragraph, the term "basic
130 health insurance" shall be defined and promulgated in rules
131 developed jointly by the Department of Education ~~Children and~~
132 ~~Families~~, the Agency for Health Care Administration, and the
133 Financial Services Commission.

134 Section 6. Subsection (8) of section 216.136, Florida
135 Statutes, is amended to read:

136 216.136 Consensus estimating conferences; duties and
137 principals.—

138 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

139 (a) The Early Learning Programs Estimating Conference
140 shall develop estimates and forecasts by county of the

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141 unduplicated count of children eligible for the school readiness
142 program in accordance with the standards of eligibility
143 established in s. 1002.87 and of children eligible for the
144 Voluntary Prekindergarten Education Program in accordance with
145 s. 1002.53(2); review and verify the procedures and data used by
146 the Department of Education for the adoption of the prevailing
147 market rate schedule under s. 1002.895; determine base payment
148 rates and the application of legislatively approved
149 differentials under part VI of chapter 1002 by county, care
150 level, and provider type that ensure reasonable access to
151 quality early learning settings in each county and that shall be
152 implemented by each early learning coalition and used in any
153 school readiness program funding formula; verify all data
154 sources and calculations used to determine funding
155 recommendations by county for the school readiness program and
156 the Voluntary Prekindergarten Education Program before
157 submission of any legislative budget request; and meet at least
158 biannually, as the conference determines are needed to support
159 the state planning, budgeting, and appropriations processes.

160 (b) The department ~~Office of Early Learning~~ shall provide
161 any reasonably related information for the conference or its
162 principals to be able to complete the duties listed in paragraph
163 (a) on needs and waiting lists for school readiness programs,
164 and ~~information on the needs for~~ the Voluntary Prekindergarten
165 Education Program, as requested by the Early Learning Programs

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166 Estimating Conference or individual conference principals in a
167 timely manner.

168 Section 7. Paragraph (b) of subsection (1) and paragraph
169 (b) of subsection (2) of section 383.14, Florida Statutes, are
170 amended to read:

171 383.14 Screening for metabolic disorders, other hereditary
172 and congenital disorders, and environmental risk factors.—

173 (1) SCREENING REQUIREMENTS.—To help ensure access to the
174 maternal and child health care system, the Department of Health
175 shall promote the screening of all newborns born in Florida for
176 metabolic, hereditary, and congenital disorders known to result
177 in significant impairment of health or intellect, as screening
178 programs accepted by current medical practice become available
179 and practical in the judgment of the department. The department
180 shall also promote the identification and screening of all
181 newborns in this state and their families for environmental risk
182 factors such as low income, poor education, maternal and family
183 stress, emotional instability, substance abuse, and other high-
184 risk conditions associated with increased risk of infant
185 mortality and morbidity to provide early intervention,
186 remediation, and prevention services, including, but not limited
187 to, parent support and training programs, home visitation, and
188 case management. Identification, perinatal screening, and
189 intervention efforts shall begin prior to and immediately
190 following the birth of the child by the attending health care

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191 provider. Such efforts shall be conducted in hospitals,
192 perinatal centers, county health departments, school health
193 programs that provide prenatal care, and birthing centers, and
194 reported to the Office of Vital Statistics.

195 (b) Postnatal screening.—A risk factor analysis using the
196 department's designated risk assessment instrument shall also be
197 conducted as part of the medical screening process upon the
198 birth of a child and submitted to the department's Office of
199 Vital Statistics for recording and other purposes provided for
200 in this chapter. The department's screening process for risk
201 assessment shall include a scoring mechanism and procedures that
202 establish thresholds for notification, further assessment,
203 referral, and eligibility for services by professionals or
204 paraprofessionals consistent with the level of risk. Procedures
205 for developing and using the screening instrument, notification,
206 referral, and care coordination services, reporting
207 requirements, management information, and maintenance of a
208 computer-driven registry in the Office of Vital Statistics which
209 ensures privacy safeguards must be consistent with the
210 provisions and plans established under chapter 411, Pub. L. No.
211 99-457, and this chapter. Procedures established for reporting
212 information and maintaining a confidential registry must include
213 a mechanism for a centralized information depository at the
214 state and county levels. The department shall coordinate with
215 existing risk assessment systems and information registries. The

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216 department must ensure, to the maximum extent possible, that the
217 screening information registry is integrated with the
218 department's automated data systems, including the Florida On-
219 line Recipient Integrated Data Access (FLORIDA) system. Tests
220 and screenings must be performed by the State Public Health
221 Laboratory, in coordination with Children's Medical Services, at
222 such times and in such manner as is prescribed by the department
223 after consultation with the Genetics and Newborn Screening
224 Advisory Council and the Department of Education ~~Office of Early~~
225 ~~Learning~~.

226 (2) RULES.—

227 (b) After consultation with the Department of Education
228 ~~Office of Early Learning~~, the department shall adopt and enforce
229 rules requiring every newborn in this state to be screened for
230 environmental risk factors that place children and their
231 families at risk for increased morbidity, mortality, and other
232 negative outcomes.

233 Section 8. Paragraph (h) of subsection (2) of section
234 391.308, Florida Statutes, is amended to read:

235 391.308 Early Steps Program.—The department shall
236 implement and administer part C of the federal Individuals with
237 Disabilities Education Act (IDEA), which shall be known as the
238 "Early Steps Program."

239 (2) DUTIES OF THE DEPARTMENT.—The department shall:

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240 (h) Promote interagency cooperation and coordination, with
241 the Medicaid program, the Department of Education program
242 pursuant to part B of the federal Individuals with Disabilities
243 Education Act, and programs providing child screening such as
244 the Florida Diagnostic and Learning Resources System, ~~the Office~~
245 ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

246 1. Coordination with the Medicaid program shall be
247 developed and maintained through written agreements with the
248 Agency for Health Care Administration and Medicaid managed care
249 organizations as well as through active and ongoing
250 communication with these organizations. The department shall
251 assist local program offices to negotiate agreements with
252 Medicaid managed care organizations in the service areas of the
253 local program offices. Such agreements may be formal or
254 informal.

255 2. Coordination with education programs pursuant to part B
256 of the federal Individuals with Disabilities Education Act shall
257 be developed and maintained through written agreements with the
258 Department of Education. The department shall assist local
259 program offices to negotiate agreements with school districts in
260 the service areas of the local program offices.

261 Section 9. Subsection (6) of section 402.26, Florida
262 Statutes, is amended to read:

263 402.26 Child care; legislative intent.—

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264 ~~(6) It is the intent of the Legislature that a child care~~
265 ~~facility licensed pursuant to s. 402.305 or a child care~~
266 ~~facility exempt from licensing pursuant to s. 402.316, that~~
267 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
268 ~~considered an educational institution for the purpose of~~
269 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
270 ~~196.198.~~

271 Section 10. Section 402.281, Florida Statutes, is
272 transferred, renumbered as section 1002.945, Florida Statutes,
273 and amended to read:

274 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

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

277 (b) A child care facility, large family child care home,
278 or family day care home that is accredited by an accrediting
279 association approved by the department under subsection (3) and
280 meets all other requirements shall, upon application to the
281 department, receive a separate "Gold Seal Quality Care"
282 designation.

283 (2) The State Board of Education ~~department~~ shall adopt
284 rules establishing Gold Seal Quality Care accreditation
285 standards using nationally recognized accrediting standards and
286 input from accrediting associations ~~based on the applicable~~
287 ~~accrediting standards of the National Association for the~~
288 ~~Education of Young Children (NAEYC), the National Association of~~

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289 ~~Family Child Care, and the National Early Childhood Program~~
290 ~~Accreditation Commission.~~

291 (3) (a) In order to be approved by the department for
292 participation in the Gold Seal Quality Care program, an
293 accrediting association must apply to the department and
294 demonstrate that it:

295 1. Is a recognized accrediting association.

296 2. Has accrediting standards that substantially meet or
297 exceed the Gold Seal Quality Care standards adopted by the state
298 board ~~department~~ under subsection (2).

299 3. Is a registered corporation with the Department of
300 State.

301 4. Can provide evidence that the process for accreditation
302 has, at a minimum, all of the following components:

303 a. Clearly defined prerequisites that a child care
304 provider must meet before beginning the accreditation process.
305 However, an accreditation may not be granted to a child care
306 facility, large family child care home, or family day care home
307 before the site is operational and is attended by children.

308 b. Procedures for completion of a self-study and
309 comprehensive onsite verification process for each classroom
310 that documents compliance with accrediting standards.

311 c. A training process for accreditation verifiers to
312 ensure inter-rater reliability.

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313 d. Ongoing compliance procedures that include completion
314 of an audit and filing of an annual report with the department.

315 e. Accreditation renewal procedures that include an onsite
316 verification and occur at least every 3 years.

317 f. A process for verifying continued accreditation
318 compliance in the event of a transfer of ownership of
319 facilities.

320 g. Procedures for the revocation of accreditation due to
321 failure to maintain accrediting standards.

322 h. A process to communicate issues that arise during the
323 accreditation period with governmental entities that have a
324 vested interest in the Gold Seal Quality Care Program, including
325 the department, the Department of Children and Families, the
326 Department of Health, local licensing entities if applicable,
327 and the early learning coalition.

328 (b) The department shall establish a process that verifies
329 that the accrediting association meets the provisions of
330 paragraph (a), which must include an auditing program and any
331 other procedures that may reasonably determine an accrediting
332 association's compliance with this section. If an accrediting
333 association is not in compliance and fails to cure its
334 deficiencies within 30 days, the department shall recommend to
335 the state board termination of the accrediting association's
336 participation as an accrediting association in the program for a
337 period of at least 2 year but no more than 5 years. If an

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338 accrediting association is removed from being an approved
339 accrediting association, each child care provider accredited by
340 that association shall have up to 1 year to obtain a new
341 accreditation from a department approved accreditation
342 association.

343 (c) If an accrediting association has granted an
344 accreditation to a child care facility, large family child care
345 home, or family day care under fraudulent terms or failed to
346 conduct on-site verifications, the accrediting association shall
347 be liable for the repayment of any rate differentials paid under
348 subsection (6).

349 ~~(b) In approving accrediting associations, the department~~
350 ~~shall consult with the Department of Education, the Florida Head~~
351 ~~Start Directors Association, the Florida Association of Child~~
352 ~~Care Management, the Florida Family Child Care Home Association,~~
353 ~~the Florida Children's Forum, the Florida Association for the~~
354 ~~Education of the Young, the Child Development Education~~
355 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
356 ~~the Association of Early Learning Coalitions, providers~~
357 ~~receiving exemptions under s. 402.316, and parents.~~

358 (4) In order to obtain and maintain a designation as a
359 Gold Seal Quality Care provider, a child care facility, large
360 family child care home, or family day care home must meet the
361 following additional criteria:

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362 (a) The child care provider must not have had any class I
363 violations, as defined by rule by the Department of Children and
364 Families, within the 2 years preceding its application for
365 designation as a Gold Seal Quality Care provider. Commission of
366 a class I violation shall be grounds for termination of the
367 designation as a Gold Seal Quality Care provider until the
368 provider has no class I violations for a period of 2 years.

369 (b) The child care provider must not have had three or
370 more class II violations, as defined by rule by the Department
371 of Children and Families, within the 2 years preceding its
372 application for designation as a Gold Seal Quality Care
373 provider. Commission of three or more class II violations within
374 a 2-year period shall be grounds for termination of the
375 designation as a Gold Seal Quality Care provider until the
376 provider has no class II violations for a period of 1 year.

377 (c) The child care provider must not have been cited for
378 the same class III violation, as defined by rule by the
379 Department of Children and Families, three or more times and
380 failed to correct the violation within 1 year after the date of
381 each citation, within the 2 years preceding its application for
382 designation as a Gold Seal Quality Care provider. Commission of
383 the same class III violation three or more times and failure to
384 correct within the required time during a 2-year period may be
385 grounds for termination of the designation as a Gold Seal

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386 Quality Care provider until the provider has no class III
387 violations for a period of 1 year.

388 (d) Notwithstanding paragraph (a), if the department
389 determines through a formal process that a provider has been in
390 business for at least 5 years and has no other class I
391 violations recorded, the department may recommend to the state
392 board that the provider maintain its Gold Seal Quality Care
393 status. The state board's determination regarding such
394 provider's status is final.

395 (5) A child care facility licensed pursuant to s. 402.305
396 or a child care facility exempt from licensing pursuant to s.
397 402.316 which achieves Gold Seal Quality status under this
398 section shall be considered an educational institution for the
399 purpose of qualifying for exemption from ad valorem tax under s.
400 196.198.

401 (6) A child care facility licensed pursuant to s. 402.305
402 or a child care facility exempt from licensing pursuant to s.
403 402.316 which achieves Gold Seal Quality status under this
404 section and which participates in the school readiness program
405 shall receive a minimum of a 20 percent rate differential for
406 each enrolled school readiness child by care level and unit of
407 child care. The Early Learning Programs Estimating Conference
408 under s. 216.136(8) shall have the authority to determine a rate
409 differential above the 20 percent for a school readiness program
410 that maintains the group size and teacher-to-child ratios of its

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411 accrediting body standards as a function of setting payment
412 rates, but may not exceed a 40 percent rate differential for
413 each enrolled school readiness child by care level and unit of
414 child care.

415 (7)(5) The state board ~~Department of Children and Families~~
416 shall adopt rules under ss. 120.536(1) and 120.54 which provide
417 criteria and procedures for reviewing and approving accrediting
418 associations for participation in the Gold Seal Quality Care
419 program and, ~~conferring and revoking designations of Gold Seal~~
420 ~~Quality Care providers, and classifying violations.~~

421 Section 11. Type two transfer from the Department of
422 Children and Families.-

423 (1) All powers, duties, functions, records, offices,
424 personnel, associated administrative support positions,
425 property, pending issues, existing contracts, administrative
426 authority, administrative rules, and unexpended balances of
427 appropriations, allocations, and other funds relating to the
428 Gold Seal Quality Care program within the Department of Children
429 and Families are transferred by a type two transfer, as defined
430 in s. 20.06(2), Florida Statutes, to the Department of
431 Education.

432 (2) Any binding contract or interagency agreement existing
433 before July 1, 2020, between the Department of Children and
434 Families, or an entity or agent of the department, and any other
435 agency, entity, or person relating to the Gold Seal Quality Care

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436 program shall continue as a binding contract or agreement for
437 the remainder of the term of such contract or agreement on the
438 successor entity responsible for the program, activity, or
439 functions relative to the contract or agreement.

440 Section 12. Paragraph (c) of subsection (1) and paragraph
441 (a) of subsection (7) of section 402.305, Florida Statutes, are
442 amended to read:

443 402.305 Licensing standards; child care facilities.-

444 (1) LICENSING STANDARDS.-The department shall establish
445 licensing standards that each licensed child care facility must
446 meet regardless of the origin or source of the fees used to
447 operate the facility or the type of children served by the
448 facility.

449 (c) The minimum standards for child care facilities shall
450 be adopted in the rules of the department and shall address the
451 areas delineated in this section. The department, in adopting
452 rules to establish minimum standards for child care facilities,
453 shall recognize that different age groups of children may
454 require different standards. The department may adopt different
455 minimum standards for facilities that serve children in
456 different age groups, including school-age children. The
457 department shall also adopt by rule a definition for child care
458 which distinguishes between child care programs that require
459 child care licensure and after-school programs that do not
460 require licensure. Notwithstanding any other provision of law to

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461 the contrary, minimum child care licensing standards shall be
462 developed to provide for reasonable, affordable, and safe
463 before-school and after-school care and may not exceed standards
464 expressly set forth in ss. 402.301-401.319. Licensing standards
465 adopted by the department on or after July 1, 2020, must be
466 ratified by the Legislature. After-school programs that
467 otherwise meet the criteria for exclusion from licensure may
468 provide snacks and meals through the federal Afterschool Meal
469 Program (AMP) administered by the Department of Health in
470 accordance with federal regulations and standards. The
471 Department of Health shall consider meals to be provided through
472 the AMP only if the program is actively participating in the
473 AMP, is in good standing with the department, and the meals meet
474 AMP requirements. Standards, at a minimum, shall allow for a
475 credentialed director to supervise multiple before-school and
476 after-school sites.

477 (7) SANITATION AND SAFETY.—

478 (a) Minimum standards shall include requirements for
479 sanitary and safety conditions, first aid treatment, emergency
480 procedures, and pediatric cardiopulmonary resuscitation. The
481 minimum standards shall require that ~~at least~~ one staff person
482 trained in cardiopulmonary resuscitation, as evidenced by
483 current documentation of course completion, must be present at
484 all times that children are present.

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485 Section 13. Subsection (5) of section 402.315, Florida
486 Statutes, is amended to read:

487 402.315 Funding; license fees.—

488 (5) All moneys collected by the department for child care
489 licensing shall be held in a trust fund of the department to be
490 reallocated to the department during the following fiscal year
491 to fund child care licensing activities, including the Gold Seal
492 Quality Care program created pursuant to s. 1002.945 ~~s. 402.281~~.

493 Section 14. Paragraph (a) of subsection (4) of section
494 402.56, Florida Statutes, is amended to read:

495 402.56 Children's cabinet; organization; responsibilities;
496 annual report.—

497 (4) MEMBERS.—The cabinet shall consist of 16 members
498 including the Governor and the following persons:

499 (a)1. The Secretary of Children and Families;

500 2. The Secretary of Juvenile Justice;

501 3. The director of the Agency for Persons with
502 Disabilities;

503 4. A representative from the Division ~~The director of the~~
504 ~~Office~~ of Early Learning;

505 5. The State Surgeon General;

506 6. The Secretary of Health Care Administration;

507 7. The Commissioner of Education;

508 8. The director of the Statewide Guardian Ad Litem Office;

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509 9. A representative of the Office of Adoption and Child
510 Protection;

511 10. A superintendent of schools, appointed by the
512 Governor; and

513 11. Five members who represent children and youth advocacy
514 organizations and who are not service providers, appointed by
515 the Governor.

516 Section 15. Paragraph (e) of subsection (2) of section
517 411.226, Florida Statutes, is amended to read:

518 411.226 Learning Gateway.—

519 (2) LEARNING GATEWAY STEERING COMMITTEE.—

520 (e) To support and facilitate system improvements, the
521 steering committee must consult with representatives from the
522 Department of Education, the Department of Health, ~~the Office of~~
523 ~~Early Learning~~, the Department of Children and Families, the
524 Agency for Health Care Administration, the Department of
525 Juvenile Justice, and the Department of Corrections and with the
526 director of the Learning Development and Evaluation Center of
527 Florida Agricultural and Mechanical University.

528 Section 16. Paragraph (d) of subsection (1), paragraph (a)
529 of subsection (2), and paragraph (c) of subsection (3) of
530 section 411.227, Florida Statutes, are amended to read:

531 411.227 Components of the Learning Gateway.—The Learning
532 Gateway system consists of the following components:

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533 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
534 ACCESS.—

535 (d) In collaboration with other local resources, the
536 demonstration projects shall develop public awareness strategies
537 to disseminate information about developmental milestones,
538 precursors of learning problems and other developmental delays,
539 and the service system that is available. The information should
540 target parents of children from birth through age 9 and should
541 be distributed to parents, health care providers, and caregivers
542 of children from birth through age 9. A variety of media should
543 be used as appropriate, such as print, television, radio, and a
544 community-based Internet website, as well as opportunities such
545 as those presented by parent visits to physicians for well-child
546 checkups. The Learning Gateway Steering Committee shall provide
547 technical assistance to the local demonstration projects in
548 developing and distributing educational materials and
549 information.

550 1. Public awareness strategies targeting parents of
551 children from birth through age 5 shall be designed to provide
552 information to public and private preschool programs, child care
553 providers, pediatricians, parents, and local businesses and
554 organizations. These strategies should include information on
555 the school readiness performance standards adopted by the
556 Department of Education ~~Office of Early Learning~~.

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557 2. Public awareness strategies targeting parents of
558 children from ages 6 through 9 must be designed to disseminate
559 training materials and brochures to parents and public and
560 private school personnel, and must be coordinated with the local
561 school board and the appropriate school advisory committees in
562 the demonstration projects. The materials should contain
563 information on state and district proficiency levels for grades
564 K-3.

565 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

566 (a) In coordination with ~~the Office of Early Learning,~~ the
567 Department of Education~~,~~ and the Florida Pediatric Society, and
568 using information learned from the local demonstration projects,
569 the Learning Gateway Steering Committee shall establish
570 guidelines for screening children from birth through age 9. The
571 guidelines should incorporate recent research on the indicators
572 most likely to predict early learning problems, mild
573 developmental delays, child-specific precursors of school
574 failure, and other related developmental indicators in the
575 domains of cognition; communication; attention; perception;
576 behavior; and social, emotional, sensory, and motor functioning.

577 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.—

578 (c) The steering committee, in cooperation with the
579 Department of Children and Families and~~,~~ the Department of
580 Education, ~~and the Office of Early Learning,~~ shall identify the

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581 elements of an effective research-based curriculum for early
582 care and education programs.

583 Section 17. Subsection (1) of section 414.295, Florida
584 Statutes, is amended to read:

585 414.295 Temporary cash assistance programs; public records
586 exemption.—

587 (1) Personal identifying information of a temporary cash
588 assistance program participant, a participant's family, or a
589 participant's family or household member, except for information
590 identifying a parent who does not live in the same home as the
591 child, which is held by the department, ~~the Office of Early~~
592 ~~Learning~~, CareerSource Florida, Inc., the Department of Health,
593 the Department of Revenue, the Department of Education, or a
594 local workforce development board or local committee created
595 pursuant to s. 445.007 is confidential and exempt from s.
596 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
597 confidential and exempt information may be released for purposes
598 directly connected with:

599 (a) The administration of the temporary assistance for
600 needy families plan under Title IV-A of the Social Security Act,
601 as amended, by the department, ~~the Office of Early Learning~~,
602 CareerSource Florida, Inc., the Department of Military Affairs,
603 the Department of Health, the Department of Revenue, the
604 Department of Education, a local workforce development board or

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605 local committee created pursuant to s. 445.007, or a school
606 district.

607 (b) The administration of the state's plan or program
608 approved under Title IV-B, Title IV-D, or Title IV-E of the
609 Social Security Act, as amended, or under Title I, Title X,
610 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
611 Social Security Act, as amended.

612 (c) An investigation, prosecution, or criminal, civil, or
613 administrative proceeding conducted in connection with the
614 administration of any of the plans or programs specified in
615 paragraph (a) or paragraph (b) by a federal, state, or local
616 governmental entity, upon request by that entity, if such
617 request is made pursuant to the proper exercise of that entity's
618 duties and responsibilities.

619 (d) The administration of any other state, federal, or
620 federally assisted program that provides assistance or services
621 on the basis of need, in cash or in kind, directly to a
622 participant.

623 (e) An audit or similar activity, such as a review of
624 expenditure reports or financial review, conducted in connection
625 with the administration of plans or programs specified in
626 paragraph (a) or paragraph (b) by a governmental entity
627 authorized by law to conduct such audit or activity.

628 (f) The administration of the reemployment assistance
629 program.

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630 (g) The reporting to the appropriate agency or official of
631 information about known or suspected instances of physical or
632 mental injury, sexual abuse or exploitation, or negligent
633 treatment or maltreatment of a child or elderly person receiving
634 assistance, if circumstances indicate that the health or welfare
635 of the child or elderly person is threatened.

636 (h) The administration of services to elderly persons
637 under ss. 430.601-430.606.

638 Section 18. Section 1000.01, Florida Statutes, is amended
639 to read:

640 1000.01 The Florida Early Learning-20 ~~K-20~~ education
641 system; technical provisions.—

642 (1) NAME.—Chapters 1000 through 1013 shall be known and
643 cited as the "Florida Early Learning-20 ~~K-20~~ Education Code."

644 (2) LIBERAL CONSTRUCTION.—The provisions of the Florida
645 Early Learning-20 ~~K-20~~ Education Code shall be liberally
646 construed to the end that its objectives may be effected. It is
647 the legislative intent that if any section, subsection,
648 sentence, clause, or provision of the Florida Early Learning-20
649 ~~K-20~~ Education Code is held invalid, the remainder of the code
650 shall not be affected.

651 (3) PURPOSE.—The purpose of the Florida Early Learning-20
652 ~~K-20~~ Education Code is to provide by law for a state system of
653 schools, courses, classes, and educational institutions and
654 services adequate to allow, for all Florida's students, the

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655 opportunity to obtain a high quality education. The Florida
656 Early Learning-20 ~~K-20~~ education system is established to
657 accomplish this purpose; however, nothing in this code shall be
658 construed to require the provision of free public education
659 beyond grade 12.

660 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
661 required by s. 1, Art. IX of the State Constitution, the Florida
662 Early Learning-20 ~~K-20~~ education system shall include the
663 uniform system of free public K-12 schools. These public K-12
664 schools shall provide 13 consecutive years of instruction,
665 beginning with kindergarten, and shall also provide such
666 instruction for students with disabilities, gifted students,
667 limited English proficient students, and students in Department
668 of Juvenile Justice programs as may be required by law. The
669 funds for support and maintenance of the uniform system of free
670 public K-12 schools shall be derived from state, district,
671 federal, and other lawful sources or combinations of sources,
672 including any fees charged nonresidents as provided by law.

673 Section 19. Subsection (2) of section 1000.02, Florida
674 Statutes, is amended to read:

675 1000.02 Policy and guiding principles for the Florida
676 Early Learning-20 ~~K-20~~ education system.—

677 (2) The guiding principles for Florida's Early Learning-20
678 ~~K-20~~ education system are:

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679 (a) A coordinated, seamless system for kindergarten
680 through graduate school education.

681 (b) A system that is student-centered in every facet.

682 (c) A system that maximizes education access and allows
683 the opportunity for a high quality education for all Floridians.

684 (d) A system that safeguards equity and supports academic
685 excellence.

686 (e) A system that provides for local operational
687 flexibility while promoting accountability for student
688 achievement and improvement.

689 Section 20. Section 1000.03, Florida Statutes, is amended
690 to read:

691 1000.03 Function, mission, and goals of the Florida Early
692 Learning-20 ~~K-20~~ education system.-

693 (1) Florida's Early Learning-20 ~~K-20~~ education system
694 shall be a decentralized system without excess layers of
695 bureaucracy. Florida's Early Learning-20 ~~K-20~~ education system
696 shall maintain a systemwide technology plan based on a common
697 set of data definitions.

698 (2)(a) The Legislature shall establish education policy,
699 enact education laws, and appropriate and allocate education
700 resources.

701 (b) With the exception of matters relating to the State
702 University System, the State Board of Education shall oversee
703 the enforcement of all laws and rules, and the timely provision

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704 of direction, resources, assistance, intervention when needed,
705 and strong incentives and disincentives to force accountability
706 for results.

707 (c) The Board of Governors shall oversee the enforcement
708 of all state university laws and rules and regulations and the
709 timely provision of direction, resources, assistance,
710 intervention when needed, and strong incentives and
711 disincentives to force accountability for results.

712 (3) Public education is a cooperative function of the
713 state and local educational authorities. The state retains
714 responsibility for establishing a system of public education
715 through laws, standards, and rules to assure efficient operation
716 of an Early Learning-20 ~~a K-20~~ system of public education and
717 adequate educational opportunities for all individuals. Local
718 educational authorities have a duty to fully and faithfully
719 comply with state laws, standards, and rules and to efficiently
720 use the resources available to them to assist the state in
721 allowing adequate educational opportunities.

722 (4) The mission of Florida's Early Learning-20 ~~K-20~~
723 education system is to allow its students to increase their
724 proficiency by allowing them the opportunity to expand their
725 knowledge and skills through rigorous and relevant learning
726 opportunities, in accordance with the mission statement and
727 accountability requirements of s. 1008.31.

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728 (5) The priorities of Florida's Early Learning-20 ~~K-20~~
729 education system include:

730 (a) Learning and completion at all levels, including
731 increased high school graduation rate and readiness for
732 postsecondary education without remediation.—All students
733 demonstrate increased learning and completion at all levels,
734 graduate from high school, and are prepared to enter
735 postsecondary education without remediation.

736 (b) Student performance.—Students demonstrate that they
737 meet the expected academic standards consistently at all levels
738 of their education.

739 (c) Civic literacy.—Students are prepared to become
740 civically engaged and knowledgeable adults who make positive
741 contributions to their communities.

742 (d) Alignment of standards and resources.—Academic
743 standards for every level of the Early Learning-20 ~~K-20~~
744 education system are aligned, and education financial resources
745 are aligned with student performance expectations at each level
746 of the Early Learning-20 ~~K-20~~ education system.

747 (e) Educational leadership.—The quality of educational
748 leadership at all levels of Early Learning-20 ~~K-20~~ education is
749 improved.

750 (f) Workforce education.—Workforce education is
751 appropriately aligned with the skills required by the new global
752 economy.

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753 (g) Parental, student, family, educational institution,
754 and community involvement.—Parents, students, families,
755 educational institutions, and communities are collaborative
756 partners in education, and each plays an important role in the
757 success of individual students. Therefore, the State of Florida
758 cannot be the guarantor of each individual student's success.
759 The goals of Florida's Early Learning-20 ~~K-20~~ education system
760 are not guarantees that each individual student will succeed or
761 that each individual school will perform at the level indicated
762 in the goals.

763 (h) Comprehensive Early Learning-20 ~~K-20~~ career and
764 education planning.—It is essential that Florida's Early
765 Learning-20 ~~K-20~~ education system better prepare all students at
766 every level for the transition from school to postsecondary
767 education or work by providing information regarding:

768 1. Career opportunities, educational requirements
769 associated with each career, educational institutions that
770 prepare students to enter each career, and student financial aid
771 available to pursue postsecondary instruction required to enter
772 each career.

773 2. How to make informed decisions about the program of
774 study that best addresses the students' interests and abilities
775 while preparing them to enter postsecondary education or the
776 workforce.

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777 3. Recommended coursework and programs that prepare
778 students for success in their areas of interest and ability.

779
780 This information shall be provided to students and parents
781 through websites, handbooks, manuals, or other regularly
782 provided communications.

783 Section 21. Section 1000.04, Florida Statutes, is amended
784 to read:

785 1000.04 Components for the delivery of public education
786 within the Florida Early Learning-20 ~~K-20~~ education system.—
787 Florida's Early Learning-20 ~~K-20~~ education system provides for
788 the delivery of early learning and public education through
789 publicly supported and controlled K-12 schools, Florida College
790 System institutions, state universities and other postsecondary
791 educational institutions, other educational institutions, and
792 other educational services as provided or authorized by the
793 Constitution and laws of the state.

794 (1) EARLY LEARNING.—Early learning includes the Voluntary
795 Prekindergarten Education Program and the school readiness
796 program.

797 (2) ~~(1)~~ PUBLIC K-12 SCHOOLS.—The public K-12 schools
798 include charter schools and consist of kindergarten classes;
799 elementary, middle, and high school grades and special classes;
800 virtual instruction programs; workforce education; career
801 centers; adult, part-time, and evening schools, courses, or

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802 classes, as authorized by law to be operated under the control
803 of district school boards; and lab schools operated under the
804 control of state universities.

805 ~~(3)-(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—
806 Public postsecondary educational institutions include workforce
807 education; Florida College System institutions; state
808 universities; and all other state-supported postsecondary
809 educational institutions that are authorized and established by
810 law.

811 ~~(4)-(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
812 Florida School for the Deaf and the Blind is a component of the
813 delivery of public education within Florida's Early Learning-20
814 ~~K-20~~ education system.

815 ~~(5)-(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual
816 School is a component of the delivery of public education within
817 Florida's Early Learning-20 ~~K-20~~ education system.

818 Section 22. Section 1000.21, Florida Statutes, is amended
819 to read:

820 1000.21 Systemwide definitions.—As used in the Florida
821 Early Learning-20 ~~K-20~~ Education Code:

822 (1) "Articulation" is the systematic coordination that
823 provides the means by which students proceed toward their
824 educational objectives in as rapid and student-friendly manner
825 as their circumstances permit, from grade level to grade level,
826 from elementary to middle to high school, to and through

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827 postsecondary education, and when transferring from one
828 educational institution or program to another.

829 (2) "Commissioner" is the Commissioner of Education.

830 (3) "Florida College System institution" except as
831 otherwise specifically provided, includes all of the following
832 public postsecondary educational institutions in the Florida
833 College System and any branch campuses, centers, or other
834 affiliates of the institution:

835 (a) Eastern Florida State College, which serves Brevard
836 County.

837 (b) Broward College, which serves Broward County.

838 (c) College of Central Florida, which serves Citrus, Levy,
839 and Marion Counties.

840 (d) Chipola College, which serves Calhoun, Holmes,
841 Jackson, Liberty, and Washington Counties.

842 (e) Daytona State College, which serves Flagler and
843 Volusia Counties.

844 (f) Florida SouthWestern State College, which serves
845 Charlotte, Collier, Glades, Hendry, and Lee Counties.

846 (g) Florida State College at Jacksonville, which serves
847 Duval and Nassau Counties.

848 (h) The College of the Florida Keys, which serves Monroe
849 County.

850 (i) Gulf Coast State College, which serves Bay, Franklin,
851 and Gulf Counties.

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- 852 (j) Hillsborough Community College, which serves
853 Hillsborough County.
- 854 (k) Indian River State College, which serves Indian River,
855 Martin, Okeechobee, and St. Lucie Counties.
- 856 (l) Florida Gateway College, which serves Baker, Columbia,
857 Dixie, Gilchrist, and Union Counties.
- 858 (m) Lake-Sumter State College, which serves Lake and
859 Sumter Counties.
- 860 (n) State College of Florida, Manatee-Sarasota, which
861 serves Manatee and Sarasota Counties.
- 862 (o) Miami Dade College, which serves Miami-Dade County.
- 863 (p) North Florida College, which serves Hamilton,
864 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- 865 (q) Northwest Florida State College, which serves Okaloosa
866 and Walton Counties.
- 867 (r) Palm Beach State College, which serves Palm Beach
868 County.
- 869 (s) Pasco-Hernando State College, which serves Hernando
870 and Pasco Counties.
- 871 (t) Pensacola State College, which serves Escambia and
872 Santa Rosa Counties.
- 873 (u) Polk State College, which serves Polk County.
- 874 (v) St. Johns River State College, which serves Clay,
875 Putnam, and St. Johns Counties.
- 876 (w) St. Petersburg College, which serves Pinellas County.

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877 (x) Santa Fe College, which serves Alachua and Bradford
878 Counties.

879 (y) Seminole State College of Florida, which serves
880 Seminole County.

881 (z) South Florida State College, which serves DeSoto,
882 Hardee, and Highlands Counties.

883 (aa) Tallahassee Community College, which serves Gadsden,
884 Leon, and Wakulla Counties.

885 (bb) Valencia College, which serves Orange and Osceola
886 Counties.

887 (4) "Department" is the Department of Education.

888 (5) "Parent" is either or both parents of a student, any
889 guardian of a student, any person in a parental relationship to
890 a student, or any person exercising supervisory authority over a
891 student in place of the parent.

892 (6) "State university," except as otherwise specifically
893 provided, includes the following institutions and any branch
894 campuses, centers, or other affiliates of the institution:

895 (a) The University of Florida.

896 (b) The Florida State University.

897 (c) The Florida Agricultural and Mechanical University.

898 (d) The University of South Florida.

899 (e) The Florida Atlantic University.

900 (f) The University of West Florida.

901 (g) The University of Central Florida.

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902 (h) The University of North Florida.

903 (i) The Florida International University.

904 (j) The Florida Gulf Coast University.

905 (k) New College of Florida.

906 (l) The Florida Polytechnic University.

907 (7) "Next Generation Sunshine State Standards" means the
908 state's public K-12 curricular standards adopted under s.
909 1003.41.

910 (8) "Board of Governors" is the Board of Governors of the
911 State University System.

912 Section 23. Subsection (1) and paragraphs (e) and (s) of
913 subsection (2) of section 1001.02, Florida Statutes, are amended
914 to read:

915 1001.02 General powers of State Board of Education.—

916 (1) The State Board of Education is the chief implementing
917 and coordinating body of public education in Florida except for
918 the State University System, and it shall focus on high-level
919 policy decisions. It has authority to adopt rules pursuant to
920 ss. 120.536(1) and 120.54 to implement the provisions of law
921 conferring duties upon it for the improvement of the state
922 system of Early Learning-20 ~~K-20~~ public education except for the
923 State University System. Except as otherwise provided herein, it
924 may, as it finds appropriate, delegate its general powers to the
925 Commissioner of Education or the directors of the divisions of
926 the department.

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927 (2) The State Board of Education has the following duties:

928 (e) To adopt and submit to the Governor and Legislature,
929 as provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
930 education budget that estimates the expenditure requirements for
931 the Board of Governors, as provided in s. 1001.706, the State
932 Board of Education, including the Department of Education and
933 the Commissioner of Education, and all of the boards,
934 institutions, agencies, and services under the general
935 supervision of the Board of Governors, as provided in s.
936 1001.706, or the State Board of Education for the ensuing fiscal
937 year. The State Board of Education may not amend the budget
938 request submitted by the Board of Governors. Any program
939 recommended by the Board of Governors or the State Board of
940 Education which will require increases in state funding for more
941 than 1 year must be presented in a multiyear budget plan.

942 (s) To establish a detailed procedure for the
943 implementation and operation of a systemwide ~~K-20~~ technology
944 plan that is based on a common set of data definitions.

945 Section 24. Subsections (8) and (9) of section 1001.03,
946 Florida Statutes, are amended to read:

947 1001.03 Specific powers of State Board of Education.—

948 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
949 shall enforce compliance with law and state board rule by all
950 school districts, early learning coalitions, and public
951 postsecondary educational institutions, except for the State

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952 University System, in accordance with the provisions of s.
953 1008.32.

954 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
955 Education, in conjunction with the Board of Governors regarding
956 the State University System, shall continue to collect and
957 maintain, at a minimum, the management information databases for
958 state universities, and all other components of the public Early
959 Learning-20 ~~K-20~~ education system as such databases existed on
960 June 30, 2002.

961 Section 25. Subsection (1), paragraphs (g), (k), and (l)
962 of subsection (6), and subsection (8) of section 1001.10,
963 Florida Statutes, are amended to read:

964 1001.10 Commissioner of Education; general powers and
965 duties.—

966 (1) The Commissioner of Education is the chief educational
967 officer of the state and the sole custodian of the educational
968 ~~K-20~~ data warehouse, and is responsible for giving full
969 assistance to the State Board of Education in enforcing
970 compliance with the mission and goals of the Early Learning ~~K-20~~
971 education system, except for the State University System.

972 (6) Additionally, the commissioner has the following
973 general powers and duties:

974 (g) To submit to the State Board of Education, on or
975 before October 1 of each year, recommendations for a coordinated
976 Early Learning-20 ~~K-20~~ education budget that estimates the

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977 expenditures for the Board of Governors, the State Board of
978 Education, including the Department of Education and the
979 Commissioner of Education, and all of the boards, institutions,
980 agencies, and services under the general supervision of the
981 Board of Governors or the State Board of Education for the
982 ensuing fiscal year. Any program recommended to the State Board
983 of Education that will require increases in state funding for
984 more than 1 year must be presented in a multiyear budget plan.

985 (k) To prepare, publish, and disseminate user-friendly
986 materials relating to the state's education system, including
987 the state's K-12 scholarship programs, the school readiness
988 program, and the Voluntary Prekindergarten Education Program.

989 (l) To prepare and publish annually reports giving
990 statistics and other useful information pertaining to the
991 state's K-12 scholarship programs, the school readiness program,
992 and the Voluntary Prekindergarten Education Program.

993 (8) In the event of an emergency situation, the
994 commissioner may coordinate through the most appropriate means
995 of communication with early learning coalitions, local school
996 districts, Florida College System institutions, and satellite
997 offices of the Division of Blind Services and the Division of
998 Vocational Rehabilitation to assess the need for resources and
999 assistance to enable each school, institution, or satellite
1000 office the ability to reopen as soon as possible after

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1001 considering the health, safety, and welfare of students and
1002 clients.

1003 Section 26. Paragraph (b) of subsection (1) and subsection
1004 (4) of section 1001.11, Florida Statutes, are amended to read:

1005 1001.11 Commissioner of Education; other duties.—

1006 (1) The Commissioner of Education must independently
1007 perform the following duties:

1008 (b) Serve as the primary source of information to the
1009 Legislature, including the President of the Senate and the
1010 Speaker of the House of Representatives, concerning the State
1011 Board of Education, the Early Learning-20 ~~K-20~~ education system,
1012 and early learning programs.

1013 (4) The commissioner shall develop and implement an
1014 integrated Early Learning-20 ~~K-20~~ information system for
1015 educational management in accordance with the requirements of
1016 chapter 1008.

1017 Section 27. Section 1001.213, Florida Statutes, is
1018 repealed.

1019 Section 28. Subsection (7) of section 1001.215, Florida
1020 Statutes, is amended to read:

1021 1001.215 Just Read, Florida! Office.—There is created in
1022 the Department of Education the Just Read, Florida! Office. The
1023 office is fully accountable to the Commissioner of Education and
1024 shall:

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1025 (7) Review, evaluate, and provide technical assistance to
1026 school districts' implementation of the ~~K-12~~ comprehensive
1027 reading plan required in s. 1011.62(9).

1028 Section 29. Subsection (1) of section 1001.23, Florida
1029 Statutes, is amended to read:

1030 1001.23 Specific powers and duties of the Department of
1031 Education.—In addition to all other duties assigned to it by law
1032 or by rule of the State Board of Education, the department
1033 shall:

1034 ~~(1) Adopt the statewide kindergarten screening in~~
1035 ~~accordance with s. 1002.69.~~

1036 Section 30. Subsection (3) of section 1001.70, Florida
1037 Statutes, is amended to read:

1038 1001.70 Board of Governors of the State University
1039 System.—

1040 (3) The Board of Governors, in exercising its authority
1041 under the State Constitution and statutes, shall exercise its
1042 authority in a manner that supports, promotes, and enhances an
1043 Early Learning-20 ~~a K-20~~ education system that provides
1044 affordable access to postsecondary educational opportunities for
1045 residents of the state to the extent authorized by the State
1046 Constitution and state law.

1047 Section 31. Paragraph (b) of subsection (4) of section
1048 1001.706, Florida Statutes, is amended to read:

1049 1001.706 Powers and duties of the Board of Governors.—

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1050 (4) POWERS AND DUTIES RELATING TO FINANCE.—

1051 (b) The Board of Governors shall prepare the legislative
1052 budget requests for the State University System, including a
1053 request for fixed capital outlay, and submit them to the State
1054 Board of Education for inclusion in the Early Learning-20 ~~K-20~~
1055 legislative budget request. The Board of Governors shall provide
1056 the state universities with fiscal policy guidelines, formats,
1057 and instruction for the development of individual university
1058 budget requests.

1059 Section 32. Paragraph (b) of subsection (1) of section
1060 1002.22, Florida Statutes, is amended to read:

1061 1002.22 Education records and reports of K-12 students;
1062 rights of parents and students; notification; penalty.—

1063 (1) DEFINITIONS.—As used in this section, the term:

1064 (b) "Institution" means any public school, center,
1065 institution, or other entity that is part of Florida's education
1066 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
1067 ~~(4)~~.

1068 Section 33. Subsection (3) of section 1002.32, Florida
1069 Statutes, is amended to read:

1070 1002.32 Developmental research (laboratory) schools.—

1071 (3) MISSION.—The mission of a lab school shall be the
1072 provision of a vehicle for the conduct of research,
1073 demonstration, and evaluation regarding management, teaching,
1074 and learning. Programs to achieve the mission of a lab school

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1075 shall embody the goals and standards established pursuant to ss.
1076 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
1077 appropriate education for its students.

1078 (a) Each lab school shall emphasize mathematics, science,
1079 computer science, and foreign languages. The primary goal of a
1080 lab school is to enhance instruction and research in such
1081 specialized subjects by using the resources available on a state
1082 university campus, while also providing an education in
1083 nonspecialized subjects. Each lab school shall provide
1084 sequential elementary and secondary instruction where
1085 appropriate. A lab school may not provide instruction at grade
1086 levels higher than grade 12 without authorization from the State
1087 Board of Education. Each lab school shall develop and implement
1088 a school improvement plan pursuant to s. 1003.02(3).

1089 (b) Research, demonstration, and evaluation conducted at a
1090 lab school may be generated by the college of education and
1091 other colleges within the university with which the school is
1092 affiliated.

1093 (c) Research, demonstration, and evaluation conducted at a
1094 lab school may be generated by the State Board of Education.
1095 Such research shall respond to the needs of the education
1096 community at large, rather than the specific needs of the
1097 affiliated college.

1098 (d) Research, demonstration, and evaluation conducted at a
1099 lab school may consist of pilot projects to be generated by the

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1100 affiliated college, the State Board of Education, or the
1101 Legislature.

1102 (e) The exceptional education programs offered at a lab
1103 school shall be determined by the research and evaluation goals
1104 and the availability of students for efficiently sized programs.
1105 The fact that a lab school offers an exceptional education
1106 program in no way lessens the general responsibility of the
1107 local school district to provide exceptional education programs.

1108 Section 34. Paragraph (b) of subsection (10) of section
1109 1002.34, Florida Statutes, is amended to read:

1110 1002.34 Charter technical career centers.-

1111 (10) EXEMPTION FROM STATUTES.-

1112 (b) A center must comply with the Florida Early Learning-
1113 20 ~~K-20~~ Education Code with respect to providing services to
1114 students with disabilities.

1115 Section 35. Subsection (1) of section 1002.36, Florida
1116 Statutes, is amended to read:

1117 1002.36 Florida School for the Deaf and the Blind.-

1118 (1) RESPONSIBILITIES.-The Florida School for the Deaf and
1119 the Blind, located in St. Johns County, is a state-supported
1120 residential public school for hearing-impaired and visually
1121 impaired students in preschool through 12th grade. The school is
1122 a component of the delivery of public education within Florida's
1123 Early Learning-20 ~~K-20~~ education system and shall be funded
1124 through the Department of Education. The school shall provide

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1125 educational programs and support services appropriate to meet
1126 the education and related evaluation and counseling needs of
1127 hearing-impaired and visually impaired students in the state who
1128 meet enrollment criteria. Unless otherwise provided by law, the
1129 school shall comply with all laws and rules applicable to state
1130 agencies. Education services may be provided on an outreach
1131 basis for sensory-impaired children ages 0 through 5 years and
1132 to district school boards upon request. Graduates of the Florida
1133 School for the Deaf and the Blind shall be eligible for the
1134 William L. Boyd, IV, Effective Access to Student Education Grant
1135 Program as provided in s. 1009.89.

1136 Section 36. Paragraph (b) of subsection (4) and subsection
1137 (5) of section 1002.53, Florida Statutes, are amended, and
1138 paragraph (d) is added to subsection (6), to read:

1139 1002.53 Voluntary Prekindergarten Education Program;
1140 eligibility and enrollment.—

1141 (4)

1142 (b) The application must be submitted on forms prescribed
1143 by the department ~~Office of Early Learning~~ and must be
1144 accompanied by a certified copy of the child's birth
1145 certificate. The forms must include a certification, in
1146 substantially the form provided in s. 1002.71(6)(b)2., that the
1147 parent chooses the private prekindergarten provider or public
1148 school in accordance with this section and directs that payments
1149 for the program be made to the provider or school. The

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1150 department Office of Early Learning may authorize alternative
1151 methods for submitting proof of the child's age in lieu of a
1152 certified copy of the child's birth certificate.

1153 (5) The early learning coalition shall provide each parent
1154 enrolling a child in the Voluntary Prekindergarten Education
1155 Program with a profile of every private prekindergarten provider
1156 and public school delivering the program within the county where
1157 the child is being enrolled. The profiles shall be provided to
1158 parents in a format prescribed by the department Office of Early
1159 Learning. The profiles must include, at a minimum, the following
1160 information about each provider and school:

1161 (a) The provider's or school's services, curriculum,
1162 instructor credentials, and instructor-to-student ratio; and

1163 (b) The provider's or school's kindergarten readiness rate
1164 ~~calculated in accordance with s. 1002.69~~, based upon the most
1165 recent available results of the statewide kindergarten screening
1166 until the provider's or school's performance metric and grade
1167 are available pursuant to s. 1002.68.

1168 (6)

1169 (d) Each parent who enrolls his or her child in the
1170 Voluntary Prekindergarten Education Program must allow his or
1171 her child to participate in the coordinated screening and
1172 progress monitoring program under s. 1008.2125.

1173 Section 37. Paragraphs (a), (b), (c), (e), (g), (h), (i),
1174 (j), and (l) of subsection (3), subsection (4), and paragraph

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1175 (b) of subsection (5) of section 1002.55, Florida Statutes, are
1176 amended, and subsection (6) is added to that section, to read:
1177 1002.55 School-year prekindergarten program delivered by
1178 private prekindergarten providers.—

1179 (3) To be eligible to deliver the prekindergarten program,
1180 a private prekindergarten provider must meet each of the
1181 following requirements:

1182 (a) The private prekindergarten provider must be a child
1183 care facility licensed under s. 402.305, family day care home
1184 licensed under s. 402.313, large family child care home licensed
1185 under s. 402.3131, nonpublic school exempt from licensure under
1186 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
1187 licensure under s. 402.316, child development program that is
1188 accredited by a national accrediting body and operates on a
1189 military installation that is certified by the United States
1190 Department of Defense, or private prekindergarten provider that
1191 has been issued a provisional license under s. 402.309. A
1192 private prekindergarten provider may not deliver the program
1193 while holding a probation-status license under s. 402.310.

1194 (b) The private prekindergarten provider must:

1195 1. Be accredited by an accrediting association that is a
1196 member of the National Council for Private School Accreditation,
1197 or the Florida Association of Academic Nonpublic Schools, or be
1198 accredited by the Southern Association of Colleges and Schools,
1199 or Western Association of Colleges and Schools, or North Central

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1200 Association of Colleges and Schools, or Middle States
1201 Association of Colleges and Schools, or New England Association
1202 of Colleges and Schools; and have written accreditation
1203 standards that meet or exceed the state's licensing requirements
1204 under s. 402.305, s. 402.313, or s. 402.3131 and require at
1205 least one onsite visit to the provider or school before
1206 accreditation is granted;

1207 2. Hold a current Gold Seal Quality Care designation under
1208 s. 1002.945 ~~s. 402.281~~; or

1209 3. Be licensed under s. 402.305, s. 402.313, or s.
1210 402.3131 and demonstrate, before delivering the Voluntary
1211 Prekindergarten Education Program, as verified by the early
1212 learning coalition, that the provider meets each of the
1213 requirements of the program under this part, including, but not
1214 limited to, the requirements for credentials and background
1215 screenings of prekindergarten instructors under paragraphs (c)
1216 and (d), minimum and maximum class sizes under paragraph (f),
1217 prekindergarten director credentials under paragraph (g), and a
1218 developmentally appropriate curriculum under s. 1002.67(2)(b).

1219 (c) The private prekindergarten provider must have, for
1220 each prekindergarten class of 11 children or fewer, at least one
1221 prekindergarten instructor who meets each of the following
1222 requirements:

1223 1. The prekindergarten instructor must hold, at a minimum,
1224 one of the following credentials:

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1225 a. A child development associate credential issued by the
1226 National Credentialing Program of the Council for Professional
1227 Recognition; or

1228 b. A credential approved by the Department of Children and
1229 Families as being equivalent to or greater than the credential
1230 described in sub-subparagraph a.

1231
1232 The Department of Children and Families may adopt rules under
1233 ss. 120.536(1) and 120.54 which provide criteria and procedures
1234 for approving equivalent credentials under sub-subparagraph b.

1235 2. The prekindergarten instructor must successfully
1236 complete at least three ~~an~~ emergent literacy training courses
1237 ~~course~~ and a student performance standards training course
1238 approved by the department ~~office~~ as meeting or exceeding the
1239 minimum standards adopted under s. 1002.59. The requirement for
1240 completion of the standards training course shall take effect
1241 July 1, 2021 ~~2014~~, and the course shall be offered as free or at
1242 a low cost and available online or in person.

1243 (e) A private prekindergarten provider may assign a
1244 substitute instructor to temporarily replace a credentialed
1245 instructor if the credentialed instructor assigned to a
1246 prekindergarten class is absent, as long as the substitute
1247 instructor is of good moral character and has been screened
1248 before employment in accordance with level 2 background
1249 screening requirements in chapter 435. The department ~~Office of~~

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1250 ~~Early Learning~~ shall adopt rules to implement this paragraph
1251 which shall include required qualifications of substitute
1252 instructors and the circumstances and time limits for which a
1253 private prekindergarten provider may assign a substitute
1254 instructor.

1255 (g) The private prekindergarten provider must have a
1256 prekindergarten director who has a prekindergarten director
1257 credential that is approved by the department ~~office~~ as meeting
1258 or exceeding the minimum standards adopted under s. 1002.57.
1259 ~~Successful completion of a child care facility director~~
1260 ~~credential under s. 402.305(2)(g) before the establishment of~~
1261 ~~the prekindergarten director credential under s. 1002.57 or July~~
1262 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
1263 ~~prekindergarten director credential under this paragraph.~~

1264 (h) The private prekindergarten provider must register
1265 with the early learning coalition on forms prescribed by the
1266 department ~~Office of Early Learning~~.

1267 (i) The private prekindergarten provider must execute the
1268 statewide provider contract prescribed under s. 1002.73 ~~s.~~
1269 ~~1002.75~~, except that an individual who owns or operates multiple
1270 private prekindergarten sites ~~providers~~ within a coalition's
1271 service area may execute a single agreement with the coalition
1272 on behalf of each site ~~provider~~.

1273 (j) The private prekindergarten provider must maintain
1274 general liability insurance and provide the coalition with

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1275 written evidence of general liability insurance coverage,
1276 including coverage for transportation of children if
1277 prekindergarten students are transported by the provider. A
1278 provider must obtain and retain an insurance policy that
1279 provides a minimum of \$100,000 of coverage per occurrence and a
1280 minimum of \$300,000 general aggregate coverage. The department
1281 ~~office~~ may authorize lower limits upon request, as appropriate.
1282 A provider must add the coalition as a named certificateholder
1283 and as an additional insured. A provider must provide the
1284 coalition with a minimum of 10 calendar days' advance written
1285 notice of cancellation of or changes to coverage. The general
1286 liability insurance required by this paragraph must remain in
1287 full force and effect for the entire period of the provider
1288 contract with the coalition.

1289 (1) Notwithstanding paragraph (j), for a private
1290 prekindergarten provider that is a state agency or a subdivision
1291 thereof, as defined in s. 768.28(2), the provider must agree to
1292 notify the coalition of any additional liability coverage
1293 maintained by the provider in addition to that otherwise
1294 established under s. 768.28. The provider shall indemnify the
1295 coalition to the extent permitted by s. 768.28. Notwithstanding
1296 paragraph (j), for a child development program that is
1297 accredited by a national accrediting body and operates on a
1298 military installation that is certified by the United States
1299 Department of Defense, the provider may demonstrate liability

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1300 coverage by affirming that it is subject to the Federal Tort
1301 Claims Act, 28 U.S.C. s. 2671 et seq.

1302 (4) A prekindergarten instructor, in lieu of the minimum
1303 credentials ~~and courses~~ required under paragraph (3)(c), may
1304 hold one of the following educational credentials:

1305 (a) A bachelor's or higher degree in early childhood
1306 education, prekindergarten or primary education, preschool
1307 education, or family and consumer science;

1308 (b) A bachelor's or higher degree in elementary education,
1309 if the prekindergarten instructor has been certified to teach
1310 children any age from birth through 6th grade, regardless of
1311 whether the instructor's educator certificate is current, and if
1312 the instructor is not ineligible to teach in a public school
1313 because his or her educator certificate is suspended or revoked;

1314 (c) An associate's or higher degree in child development;

1315 (d) An associate's or higher degree in an unrelated field,
1316 at least 6 credit hours in early childhood education or child
1317 development, and at least 480 hours of experience in teaching or
1318 providing child care services for children any age from birth
1319 through 8 years of age; or

1320 (e) An educational credential approved by the department
1321 as being equivalent to or greater than an educational credential
1322 described in this subsection. The department may adopt criteria
1323 and procedures for approving equivalent educational credentials
1324 under this paragraph.

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1325 (5)

1326 (b) Notwithstanding any other ~~provision of~~ law, if a
1327 private prekindergarten provider has been cited for a class I
1328 violation, as defined by rule by the Child Care Services Program
1329 Office of the Department of Children and Families, the coalition
1330 may refuse to contract with the provider.

1331 (6) Each early learning coalition must verify that each
1332 private prekindergarten provider delivering the Voluntary
1333 Prekindergarten Education Program within the coalition's county
1334 or multicounty region complies with this part. If a private
1335 prekindergarten provider fails or refuses to comply with this
1336 part or engages in misconduct, the department shall require the
1337 early learning coalition to remove the provider from eligibility
1338 to deliver the program and receive state funds under this part
1339 for a period of at least 2 years but no more than 5 years.

1340 Section 38. Paragraphs (b) and (c) of subsection (2) of
1341 section 1002.57, Florida Statutes, are redesignated as
1342 paragraphs (c) and (d), respectively, subsection (1) is amended,
1343 and a new paragraph (b) is added to subsection (2) of that
1344 section, to read:

1345 1002.57 Prekindergarten director credential.—

1346 (1) The department office, in consultation with the
1347 Department of Children and Families, shall adopt minimum
1348 standards for a credential for prekindergarten directors of
1349 private prekindergarten providers delivering the Voluntary

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1350 Prekindergarten Education Program. The credential must encompass
1351 requirements for education and onsite experience.

1352 (2) The educational requirements must include training in
1353 the following:

1354 (b) Implementation of curriculum and usage of student-
1355 level data to inform the delivery of instruction;

1356 Section 39. Section 1002.59, Florida Statutes, is amended
1357 to read:

1358 1002.59 Emergent literacy and performance standards
1359 training courses.—

1360 (1) The department ~~office~~ shall adopt minimum standards
1361 for ~~one or more training~~ courses in emergent literacy for
1362 prekindergarten instructors. Each course must comprise 5 clock
1363 hours and provide instruction in strategies and techniques to
1364 address the age-appropriate progress of prekindergarten students
1365 in developing emergent literacy skills, including oral
1366 communication, knowledge of print and letters, phonemic and
1367 phonological awareness, and vocabulary and comprehension
1368 development. Each course must also provide resources containing
1369 strategies that allow students with disabilities and other
1370 special needs to derive maximum benefit from the Voluntary
1371 Prekindergarten Education Program. Successful completion of an
1372 emergent literacy training course approved under this section
1373 satisfies requirements for approved training in early literacy

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1374 and language development under ss. 402.305(2)(e)5., 402.313(6),
1375 and 402.3131(5).

1376 (2) The department ~~office~~ shall adopt minimum standards
1377 for ~~one or more training~~ courses on the performance standards
1378 adopted under s. 1002.67(1). Each course must be comprised of
1379 ~~comprise~~ at least 3 clock hours, provide instruction in
1380 strategies and techniques to address age-appropriate progress of
1381 each child in attaining the standards, and be available online.

1382 (3) The department shall make available online
1383 professional development and training courses comprised of at
1384 least 8 clock hours that support prekindergarten instructors in
1385 increasing the competency of teacher-child interactions.

1386 Section 40. Subsections (6) through (8) of section
1387 1002.61, Florida Statutes, are renumbered as subsections (7)
1388 through (9), respectively, paragraph (b) of subsection (1),
1389 paragraph (b) of subsection (3), subsection (4), and present
1390 subsections (6) and (8) are amended, and new subsections (6) and
1391 (10) are added to that section, to read:

1392 1002.61 Summer prekindergarten program delivered by public
1393 schools and private prekindergarten providers.—

1394 (1)

1395 (b) Each early learning coalition shall administer the
1396 Voluntary Prekindergarten Education Program at the county or
1397 regional level for students enrolled under s. 1002.53(3)(b) in a
1398 summer prekindergarten program delivered by a private

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1399 prekindergarten provider. A child development program that is
1400 accredited by a national accrediting body and operates on a
1401 military installation that is certified by the United States
1402 Department of Defense may administer the summer prekindergarten
1403 program as a private prekindergarten provider.

1404 (3)

1405 (b) Each public school delivering the summer
1406 prekindergarten program must execute the statewide provider
1407 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1408 school district may execute a single agreement with the early
1409 learning coalition on behalf of all district schools.

1410 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
1411 each public school and private prekindergarten provider must
1412 have, for each prekindergarten class, at least one
1413 prekindergarten instructor who is a certified teacher or holds
1414 one of the educational credentials specified in s. 1002.55(4)(a)
1415 or (b). As used in this subsection, the term "certified teacher"
1416 means a teacher holding a valid Florida educator certificate
1417 under s. 1012.56 who has the qualifications required by the
1418 district school board to instruct students in the summer
1419 prekindergarten program. In selecting instructional staff for
1420 the summer prekindergarten program, each school district shall
1421 give priority to teachers who have experience or coursework in
1422 early childhood education and have completed emergent literacy

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1423 and performance standards courses, as defined in s.
1424 1002.55(3)(c)2.

1425 (6) A child development program that is accredited by a
1426 national accrediting body and operates on a military
1427 installation that is certified by the United States Department
1428 of Defense shall comply with the requirements of a private
1429 prekindergarten provider in this section.

1430 (7)~~(6)~~ A public school or private prekindergarten provider
1431 may assign a substitute instructor to temporarily replace a
1432 credentialed instructor if the credentialed instructor assigned
1433 to a prekindergarten class is absent, as long as the substitute
1434 instructor is of good moral character and has been screened
1435 before employment in accordance with level 2 background
1436 screening requirements in chapter 435. This subsection does not
1437 supersede employment requirements for instructional personnel in
1438 public schools which are more stringent than the requirements of
1439 this subsection. The department ~~Office of Early Learning~~ shall
1440 adopt rules to implement this subsection which shall include
1441 required qualifications of substitute instructors and the
1442 circumstances and time limits for which a public school or
1443 private prekindergarten provider may assign a substitute
1444 instructor.

1445 (9)~~(8)~~ Each public school delivering the summer
1446 prekindergarten program must also register with the early
1447 learning coalition on forms prescribed by the department ~~Office~~

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1448 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten
1449 Education Program in accordance with this part.

1450 (10) (a) Each early learning coalition shall verify that
1451 each private prekindergarten provider delivering the Voluntary
1452 Prekindergarten Education Program within the coalition's county
1453 or multicounty region complies with this part. Each district
1454 school board shall verify that each public school delivering the
1455 Voluntary Prekindergarten Education Program within the school
1456 district complies with this part.

1457 (b) If a private prekindergarten provider or public school
1458 fails or refuses to comply with this part or engages in
1459 misconduct, the department shall require the early learning
1460 coalition to remove the provider or require the school district
1461 to remove the school from eligibility to deliver the Voluntary
1462 Prekindergarten Education Program and receive state funds under
1463 this part for a period of at least 2 years but no more than 5
1464 years.

1465 Section 41. Paragraph (b) of subsection (3) and
1466 subsections (6) and (8) of section 1002.63, Florida Statutes,
1467 are amended, and subsection (9) is added to that section, to
1468 read:

1469 1002.63 School-year prekindergarten program delivered by
1470 public schools.—

1471 (3)

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1472 (b) Each public school delivering the school-year
1473 prekindergarten program must execute the statewide provider
1474 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1475 school district may execute a single agreement with the early
1476 learning coalition on behalf of all district schools.

1477 (6) A public school prekindergarten provider may assign a
1478 substitute instructor to temporarily replace a credentialed
1479 instructor if the credentialed instructor assigned to a
1480 prekindergarten class is absent, as long as the substitute
1481 instructor is of good moral character and has been screened
1482 before employment in accordance with level 2 background
1483 screening requirements in chapter 435. This subsection does not
1484 supersede employment requirements for instructional personnel in
1485 public schools which are more stringent than the requirements of
1486 this subsection. The department ~~Office of Early Learning~~ shall
1487 adopt rules to implement this subsection which shall include
1488 required qualifications of substitute instructors and the
1489 circumstances and time limits for which a public school
1490 prekindergarten provider may assign a substitute instructor.

1491 (8) Each public school delivering the school-year
1492 prekindergarten program must register with the early learning
1493 coalition on forms prescribed by the department ~~Office of Early~~
1494 ~~Learning~~ and deliver the Voluntary Prekindergarten Education
1495 Program in accordance with this part.

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1496 (9) (a) Each district school board shall verify that each
1497 public school delivering the Voluntary Prekindergarten Education
1498 Program within the school district complies with this part.

1499 (b) If a public school fails or refuses to comply with
1500 this part or engages in misconduct, the department shall require
1501 the school district to remove the school from eligibility to
1502 deliver the Voluntary Prekindergarten Education Program and
1503 receive state funds under this part for a period of at least 2
1504 years but no more than 5 years.

1505 Section 42. Section 1002.67, Florida Statutes, is amended
1506 to read:

1507 1002.67 Performance standards ~~and~~ curricula ~~and~~
1508 ~~accountability.~~—

1509 (1) (a) The ~~department office~~ shall develop and adopt
1510 performance standards for students in the Voluntary
1511 Prekindergarten Education Program. The performance standards
1512 must address the age-appropriate progress of students in the
1513 development of:

1514 1. The capabilities, capacities, and skills required under
1515 s. 1(b), Art. IX of the State Constitution; ~~and~~

1516 2. Emergent literacy skills, including oral communication,
1517 knowledge of print and letters, phonemic and phonological
1518 awareness, and vocabulary and comprehension development; and

1519 3. Mathematical thinking and early math skills.
1520

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1521 ~~By October 1, 2013, the office shall examine the existing~~
1522 ~~performance standards in the area of mathematical thinking and~~
1523 ~~develop a plan to make appropriate professional development and~~
1524 ~~training courses available to prekindergarten instructors.~~

1525 (b) At least every 3 years, the department office shall
1526 ~~periodically~~ review and, if necessary, revise the performance
1527 standards established under s. 1002.67 ~~for the statewide~~
1528 ~~kindergarten screening administered under s. 1002.69~~ and align
1529 the standards to the standards established by the state board
1530 for student performance on the statewide assessments
1531 administered pursuant to s. 1008.22.

1532 (2) (a) Each private prekindergarten provider and public
1533 school may select or design the curriculum that the provider or
1534 school uses to implement the Voluntary Prekindergarten Education
1535 Program, except as otherwise required for a provider or school
1536 that is placed on probation under s. 1002.68 ~~paragraph (4) (c).~~

1537 (b) Each private prekindergarten provider's and public
1538 school's curriculum must be developmentally appropriate and
1539 must:

1540 1. Be designed to prepare a student for early literacy and
1541 provide for instruction in early math skills;

1542 2. Enhance the age-appropriate progress of students in
1543 attaining the performance standards adopted by the department
1544 under subsection (1); and

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1545 3. Support student learning gains through differentiated
1546 instruction that shall be measured by the coordinated screening
1547 and progress monitoring program under s. 1008.2125 ~~Prepare~~
1548 ~~students to be ready for kindergarten based upon the statewide~~
1549 ~~kindergarten screening administered under s. 1002.69.~~

1550 (c) The department office shall adopt procedures for the
1551 review and approval of ~~approve~~ curricula for use by private
1552 prekindergarten providers and public schools that are placed on
1553 probation under s. 1002.68 ~~paragraph (4)(c)~~. The department
1554 ~~office~~ shall administer the review and approval process and
1555 maintain a list of the curricula approved under this paragraph.
1556 Each approved curriculum must meet the requirements of paragraph
1557 (b).

1558 ~~(3)(a) Contingent upon legislative appropriation, each~~
1559 ~~private prekindergarten provider and public school in the~~
1560 ~~Voluntary Prekindergarten Education Program must implement an~~
1561 ~~evidence-based pre- and post-assessment that has been approved~~
1562 ~~by rule of the State Board of Education.~~

1563 ~~(b) In order to be approved, the assessment must be valid,~~
1564 ~~reliable, developmentally appropriate, and designed to measure~~
1565 ~~student progress on domains which must include, but are not~~
1566 ~~limited to, early literacy, numeracy, and language.~~

1567 ~~(c) The pre- and post-assessment must be administered by~~
1568 ~~individuals meeting requirements established by rule of the~~
1569 ~~State Board of Education.~~

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1570 ~~(4) (a) Each early learning coalition shall verify that~~
1571 ~~each private prekindergarten provider delivering the Voluntary~~
1572 ~~Prekindergarten Education Program within the coalition's county~~
1573 ~~or multicounty region complies with this part. Each district~~
1574 ~~school board shall verify that each public school delivering the~~
1575 ~~program within the school district complies with this part.~~

1576 ~~(b) If a private prekindergarten provider or public school~~
1577 ~~fails or refuses to comply with this part, or if a provider or~~
1578 ~~school engages in misconduct, the office shall require the early~~
1579 ~~learning coalition to remove the provider and require the school~~
1580 ~~district to remove the school from eligibility to deliver the~~
1581 ~~Voluntary Prekindergarten Education Program and receive state~~
1582 ~~funds under this part for a period of 5 years.~~

1583 ~~(c)1. If the kindergarten readiness rate of a private~~
1584 ~~prekindergarten provider or public school falls below the~~
1585 ~~minimum rate adopted by the office as satisfactory under s.~~
1586 ~~1002.69(6), the early learning coalition or school district, as~~
1587 ~~applicable, shall require the provider or school to submit an~~
1588 ~~improvement plan for approval by the coalition or school~~
1589 ~~district, as applicable, and to implement the plan; shall place~~
1590 ~~the provider or school on probation; and shall require the~~
1591 ~~provider or school to take certain corrective actions, including~~
1592 ~~the use of a curriculum approved by the office under paragraph~~
1593 ~~(2) (c) or a staff development plan to strengthen instruction in~~

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1594 ~~language development and phonological awareness approved by the~~
1595 ~~office.~~

1596 ~~2. A private prekindergarten provider or public school~~
1597 ~~that is placed on probation must continue the corrective actions~~
1598 ~~required under subparagraph 1., including the use of a~~
1599 ~~curriculum or a staff development plan to strengthen instruction~~
1600 ~~in language development and phonological awareness approved by~~
1601 ~~the office, until the provider or school meets the minimum rate~~
1602 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1603 ~~Failure to implement an approved improvement plan or staff~~
1604 ~~development plan shall result in the termination of the~~
1605 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1606 ~~Education Program for a period of 5 years.~~

1607 ~~3. If a private prekindergarten provider or public school~~
1608 ~~remains on probation for 2 consecutive years and fails to meet~~
1609 ~~the minimum rate adopted by the office as satisfactory under s.~~
1610 ~~1002.69(6) and is not granted a good cause exemption by the~~
1611 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1612 ~~early learning coalition or the school district to remove, as~~
1613 ~~applicable, the provider or school from eligibility to deliver~~
1614 ~~the Voluntary Prekindergarten Education Program and receive~~
1615 ~~state funds for the program for a period of 5 years.~~

1616 ~~(d) Each early learning coalition and the office shall~~
1617 ~~coordinate with the Child Care Services Program Office of the~~
1618 ~~Department of Children and Families to minimize interagency~~

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1619 ~~duplication of activities for monitoring private prekindergarten~~
1620 ~~providers for compliance with requirements of the Voluntary~~
1621 ~~Prekindergarten Education Program under this part, the school~~
1622 ~~readiness program under part VI of this chapter, and the~~
1623 ~~licensing of providers under ss. 402.301-402.319.~~

1624 Section 43. Section 1002.68, Florida Statutes, is created
1625 to read:

1626 1002.68 Voluntary Prekindergarten Education Program
1627 accountability.-

1628 (1) (a) Beginning with the 2021-2022 program year, each
1629 private prekindergarten provider and public school participating
1630 in the Voluntary Prekindergarten Education Program must
1631 participate in the coordinated screening and progress monitoring
1632 program in accordance with s. 1008.2125. The coordinated
1633 screening and progress monitoring program results shall be used
1634 by the department to identify student learning gains, index
1635 development learning outcomes upon program completion relative
1636 to the performance standards established under s. 1002.67 and
1637 representative norms, and inform a private prekindergarten
1638 provider's and public school's performance metric.

1639 (b) At a minimum, the initial and final progress
1640 monitoring or screening must be administered by individuals
1641 meeting requirements adopted by the department pursuant to s.
1642 1008.2125.

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1643 (c) Each private prekindergarten provider and public
1644 school must provide a student's performance results from the
1645 coordinated screening and progress monitoring to the student's
1646 parents within 7 days after the administration of such
1647 coordinated screening and progress monitoring.

1648 (2) Beginning with the 2020-2021 program year, each
1649 private prekindergarten provider and public school in the
1650 Voluntary Prekindergarten Education Program must participate in
1651 a program assessment of each voluntary prekindergarten education
1652 classroom. The program assessment shall measure the quality of
1653 teacher-child interactions, including emotional support,
1654 classroom organization, and instructional support for children
1655 ages 3 to 5 years. Each private prekindergarten provider and
1656 public school in the Voluntary Prekindergarten Education Program
1657 shall receive from the department the results of the program
1658 assessment for each classroom within 14 days after the
1659 observation. The program assessment must be administered by
1660 individuals who meet requirements established by rule of the
1661 State Board of Education.

1662 (3) (a) For the 2019-2020 program year, the department
1663 shall calculate a kindergarten readiness rate for each private
1664 prekindergarten provider and public school in the Voluntary
1665 Prekindergarten Education Program based upon learning gains and
1666 the percentage of students who are assessed as ready for
1667 kindergarten. The department shall require that each school

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1668 district administer the statewide kindergarten screening in use
1669 before the 2020-2021 school year to each kindergarten student in
1670 the school district within the first 30 school days of the 2020-
1671 2021 school year. Private schools may administer the statewide
1672 kindergarten screening to each kindergarten student in a private
1673 school who was enrolled in the Voluntary Prekindergarten
1674 Education Program. Learning gains shall be determined using a
1675 value-added measure based on growth demonstrated by the results
1676 of the preassessment and postassessment in use before the 2020-
1677 2021 program year. Any private prekindergarten provider or
1678 public school in the Voluntary Prekindergarten Education Program
1679 which fails to meet the minimum kindergarten readiness rate for
1680 the 2019-2020 program year is subject to the probation
1681 requirements of subsection (5).

1682 (b) For the 2020-2021 program year, the department shall
1683 calculate a program assessment composite score for each provider
1684 based on the program assessment under subsection (2). Any
1685 private prekindergarten provider or public school in the
1686 Voluntary Prekindergarten Education Program which fails to meet
1687 the minimum program assessment composite score for the 2020-2021
1688 program year is subject to the probation requirements of
1689 subsection (5).

1690 (4) (a) Beginning with the 2021-2022 program year, the
1691 department shall adopt a methodology for calculating each
1692 private prekindergarten provider's and public school provider's

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1693 performance metric, which must be based on a combination of the
1694 following:

1695 1. Program assessment composite scores under subsection
1696 (2), which must be weighted at no less than 50 percent.

1697 2. Learning gains operationalized as change in ability
1698 scores from the initial and final progress monitoring results
1699 described in subsection (1).

1700 3. Norm-referenced developmental learning outcomes
1701 described in subsection (1).

1702 (b) The methodology for calculating a provider's
1703 performance metric may only include prekindergarten students who
1704 have attended at least 85 percent of a private prekindergarten
1705 provider's or public school's program.

1706 (c) The program assessment composite score, performance
1707 metric, and grade must be calculated by private prekindergarten
1708 or public school site.

1709 (d) The methodology must include a statistical latent
1710 profile analysis that is conducted by a contracted independent
1711 expert with experience in relevant quantitative analysis, early
1712 childhood assessment, and designing state-level accountability
1713 systems. Such expert must be able to produce a limited number of
1714 performance metric profiles that summarize the profiles of all
1715 sites that must be used to inform the assignment of a letter
1716 grading system to include grades "A" through "F". The contracted
1717 independent expert may not be a direct stakeholder or have had a

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1718 financial interest in the design or delivery of the Voluntary
1719 Prekindergarten Education Program or public school system within
1720 the last 5 years.

1721 (e) The department must provide for a differential payment
1722 to a private prekindergarten provider and public school based on
1723 the provider's grade. The maximum differential payment may not
1724 exceed a total of 15 percent of the base student allocation per
1725 full-time equivalent student under s. 1002.71 attending in the
1726 consecutive program year for that program. A private
1727 prekindergarten provider or public school may not receive a
1728 differential payment if it is assigned a grade of "C" or below.
1729 Before the adoption of the methodology, the department and the
1730 contracted expert shall confer with the Early Grade Success
1731 Advisory Committee under s. 1008.2125 before receiving approval
1732 from the State Board of Education for the final recommendations
1733 on the grading system and differential payments.

1734 (f) The department shall adopt procedures to annually
1735 calculate each private prekindergarten provider's and public
1736 school's performance metric and grade based on the methodology
1737 adopted in paragraphs (a) and (b). Beginning with the 2022-2023
1738 program year, each private prekindergarten provider or public
1739 school shall be assigned a grade within 45 days after the
1740 conclusion of the school-year Voluntary Prekindergarten
1741 Education Program delivered by all participating private
1742 prekindergarten providers or public schools and within 45 days

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1743 after the conclusion of the summer Voluntary Prekindergarten
1744 Education Program delivered by all participating private
1745 prekindergarten providers or public schools.

1746 (g) The department shall adopt a minimum performance
1747 metric or grade that, if achieved by a private prekindergarten
1748 provider or public school, would demonstrate the provider's or
1749 school's satisfactory delivery of the Voluntary Prekindergarten
1750 Education Program.

1751 (5) (a) If a public school's or private prekindergarten
1752 provider's program assessment composite score for its
1753 prekindergarten classrooms fails to meet the minimum threshold
1754 for contracting established by the department pursuant to s.
1755 1002.82 (2) (n), the private prekindergarten provider or public
1756 school may not participate in the Voluntary Prekindergarten
1757 Education Program beginning in the consecutive program year and
1758 thereafter until the public school or private prekindergarten
1759 provider meets the minimum threshold for contracting.

1760 (b) If a private prekindergarten provider's or public
1761 school's performance metric or grade falls below the minimum
1762 performance metric or grade, the early learning coalition or
1763 school district shall:

1764 1. Require the provider or school to submit for approval
1765 to the coalition or school district an improvement plan and to
1766 implement the plan.

1767 2. Place the provider or school on probation.

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1768 3. Require the provider or school to take certain
1769 corrective actions, including the use of a curriculum approved
1770 by the department under s. 1002.67(2)(c) and a staff development
1771 plan approved by the department to strengthen instructional
1772 practices in emotional and behavioral support, engaged support
1773 for learning, classroom organization, language development,
1774 phonological awareness, alphabet knowledge, and mathematical
1775 thinking.

1776 (c) A private prekindergarten provider or public school
1777 that is placed on probation must continue the corrective actions
1778 required under paragraph (b) until the provider or school meets
1779 the minimum performance metric or grade adopted by the
1780 department. Failure to meet the requirements of subparagraphs
1781 (b)1. and 3. shall result in the termination of the provider's
1782 or school's contract to deliver the Voluntary Prekindergarten
1783 Education Program for a period of at least 2 years but no more
1784 than 5 years.

1785 (d) If a private prekindergarten provider or public school
1786 remains on probation for 2 consecutive years and fails to meet
1787 the minimum performance metric or grade, or is not granted a
1788 good cause exemption by the department, the department shall
1789 require the early learning coalition or the school district to
1790 revoke the provider's or school's eligibility to deliver the
1791 Voluntary Prekindergarten Education Program and receive state

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1792 funds for the program for a period of at least 2 years but no
1793 more than 5 years.

1794 (6) (a) The department, upon the request of a private
1795 prekindergarten provider or public school that remains on
1796 probation for at least 2 consecutive years and subsequently
1797 fails to meet the minimum performance metric or grade, and for
1798 good cause shown, may grant to the provider or school an
1799 exemption from being determined ineligible to deliver the
1800 Voluntary Prekindergarten Education Program and receive state
1801 funds for the program. Such exemption is valid for 1 year and,
1802 upon the request of the private prekindergarten provider or
1803 public school and for good cause shown, may be renewed.

1804 (b) A private prekindergarten provider's or public
1805 school's request for a good cause exemption, or renewal of such
1806 an exemption, must be submitted to the department in the manner
1807 and within the timeframes prescribed by the department and must
1808 include the following:

1809 1. Data from the private prekindergarten provider or
1810 public school which documents the achievement and progress of
1811 the children served, as measured by any required screenings or
1812 assessments.

1813 2. Data from the program assessment required under s.
1814 1002.55 which demonstrates effective teaching practices as
1815 recognized by the tool developer.

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1816 3. Data from the early learning coalition or district
1817 school board, as applicable, the Department of Children and
1818 Families, the local licensing authority, or an accrediting
1819 association, as applicable, relating to the private
1820 prekindergarten provider's or public school's compliance with
1821 state and local health and safety standards.

1822 (c) The department shall adopt criteria for granting good
1823 cause exemptions. Such criteria must include, but are not
1824 limited to, all of the following:

1825 1. Child demographic data that evidences a private
1826 prekindergarten provider or public school serves a statistically
1827 significant population of children with special needs who have
1828 individual education plans and can demonstrate progress toward
1829 meeting the goals outlined in the students' individual education
1830 plans.

1831 2. Learning gains of children served in the Voluntary
1832 Prekindergarten Education Program by the private prekindergarten
1833 provider or public school on an alternative measure that has
1834 comparable validity and reliability of the coordinated screening
1835 and progress monitoring program in accordance with s. 1008.2125.

1836 3. Program assessment data under subsection (2) which
1837 demonstrates effective teaching practices as recognized by the
1838 tool developer.

1839 4. Verification that local and state health and safety
1840 requirements are met.

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1841 (d) A good cause exemption may not be granted to any
1842 private prekindergarten provider or public school that has any
1843 class I violations or two or more class II violations within the
1844 2 years preceding the provider's or school's request for the
1845 exemption. For purposes of this paragraph, class I and class II
1846 violations have the same meaning as provided in s. 1002.945.

1847 (e) A private prekindergarten provider or public school
1848 granted a good cause exemption shall continue to implement its
1849 improvement plan and continue the corrective actions required
1850 under subsection (5) (b) until the provider or school meets the
1851 minimum performance metric.

1852 (f) If a good cause exemption is granted to a private
1853 prekindergarten provider or public school that remains on
1854 probation for 2 consecutive years and if the provider meets all
1855 other applicable requirements of this part, the department shall
1856 notify the early learning coalition or school district of the
1857 good cause exemption and direct that the coalition or school
1858 district not remove the provider from eligibility to deliver the
1859 Voluntary Prekindergarten Education Program or to receive state
1860 funds for the program.

1861 (g) The department shall report the number of private
1862 prekindergarten providers or public schools that have received a
1863 good cause exemption and the reasons for the exemptions as part
1864 of its annual reporting requirements under s. 1002.82(6).

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1865 (7) Representatives from each school district and
1866 corresponding early learning coalitions must meet annually to
1867 develop strategies to transition students from the Voluntary
1868 Prekindergarten Education Program to kindergarten.

1869 Section 44. Section 1002.69, Florida Statutes, is
1870 repealed.

1871 Section 45. Paragraph (c) of subsection (3), subsection
1872 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
1873 subsection (6), and subsection (7) of section 1002.71, Florida
1874 Statutes, are amended to read:

1875 1002.71 Funding; financial and attendance reporting.—

1876 (3)

1877 (c) The initial allocation shall be based on estimated
1878 student enrollment in each coalition service area. The
1879 department ~~Office of Early Learning~~ shall reallocate funds among
1880 the coalitions based on actual full-time equivalent student
1881 enrollment in each coalition service area. Each coalition shall
1882 report student enrollment pursuant to subsection (2) on a
1883 monthly basis. A student enrollment count for the prior fiscal
1884 year may not be amended after September 30 of the subsequent
1885 fiscal year.

1886 (4) Notwithstanding s. 1002.53(3) and subsection (2):

1887 (a) A child who, for any of the prekindergarten programs
1888 listed in s. 1002.53(3), has not completed more than 70 percent
1889 of the hours authorized to be reported for funding under

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1890 subsection (2), or has not expended more than 70 percent of the
1891 funds authorized for the child under s. 1002.66, may withdraw
1892 from the program for good cause and reenroll in one of the
1893 programs. The total funding for a child who reenrolls in one of
1894 the programs for good cause may not exceed one full-time
1895 equivalent student. Funding for a child who withdraws and
1896 reenrolls in one of the programs for good cause shall be issued
1897 in accordance with the department's ~~Office of Early Learning's~~
1898 uniform attendance policy adopted pursuant to paragraph (6)(d).

1899 (b) A child who has not substantially completed any of the
1900 prekindergarten programs listed in s. 1002.53(3) may withdraw
1901 from the program due to an extreme hardship that is beyond the
1902 child's or parent's control, reenroll in one of the summer
1903 programs, and be reported for funding purposes as a full-time
1904 equivalent student in the summer program for which the child is
1905 reenrolled.

1906
1907 A child may reenroll only once in a prekindergarten program
1908 under this section. A child who reenrolls in a prekindergarten
1909 program under this subsection may not subsequently withdraw from
1910 the program and reenroll, unless the child is granted a good
1911 cause exemption under this subsection. The department ~~Office of~~
1912 ~~Early Learning~~ shall establish criteria specifying whether a
1913 good cause exists for a child to withdraw from a program under
1914 paragraph (a), whether a child has substantially completed a

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1915 program under paragraph (b), and whether an extreme hardship
1916 exists which is beyond the child's or parent's control under
1917 paragraph (b).

1918 (5)

1919 (b) The department ~~Office of Early Learning~~ shall adopt
1920 procedures for the payment of private prekindergarten providers
1921 and public schools delivering the Voluntary Prekindergarten
1922 Education Program. The procedures shall provide for the advance
1923 payment of providers and schools based upon student enrollment
1924 in the program, the certification of student attendance, and the
1925 reconciliation of advance payments in accordance with the
1926 uniform attendance policy adopted under paragraph (6) (d). The
1927 procedures shall provide for the monthly distribution of funds
1928 by the department ~~Office of Early Learning~~ to the early learning
1929 coalitions for payment by the coalitions to private
1930 prekindergarten providers and public schools.

1931 (6)

1932 (b)1. Each private prekindergarten provider's and district
1933 school board's attendance policy must require the parent of each
1934 student in the Voluntary Prekindergarten Education Program to
1935 verify, each month, the student's attendance on the prior
1936 month's certified student attendance.

1937 2. The parent must submit the verification of the
1938 student's attendance to the private prekindergarten provider or
1939 public school on forms prescribed by the department ~~Office of~~

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1940 ~~Early Learning~~. The forms must include, in addition to the
1941 verification of the student's attendance, a certification, in
1942 substantially the following form, that the parent continues to
1943 choose the private prekindergarten provider or public school in
1944 accordance with s. 1002.53 and directs that payments for the
1945 program be made to the provider or school:

VERIFICATION OF STUDENT'S ATTENDANCE

AND CERTIFICATION OF PARENTAL CHOICE

1948 I, ...(Name of Parent)..., swear (or affirm) that my child,
1949 ...(Name of Student)..., attended the Voluntary Prekindergarten
1950 Education Program on the days listed above and certify that I
1951 continue to choose ...(Name of Provider or School)... to deliver
1952 the program for my child and direct that program funds be paid
1953 to the provider or school for my child.

...(Signature of Parent)...

...(Date)...

1956 3. The private prekindergarten provider or public school
1957 must keep each original signed form for at least 2 years. Each
1958 private prekindergarten provider must permit the early learning
1959 coalition, and each public school must permit the school
1960 district, to inspect the original signed forms during normal
1961 business hours. The department ~~Office of Early Learning~~ shall
1962 adopt procedures for early learning coalitions and school
1963 districts to review the original signed forms against the
1964 certified student attendance. The review procedures shall

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1965 provide for the use of selective inspection techniques,
1966 including, but not limited to, random sampling. Each early
1967 learning coalition and the school districts must comply with the
1968 review procedures.

1969 (d) The department ~~Office of Early Learning~~ shall adopt,
1970 for funding purposes, a uniform attendance policy for the
1971 Voluntary Prekindergarten Education Program. The attendance
1972 policy must apply statewide and apply equally to all private
1973 prekindergarten providers and public schools. The attendance
1974 policy must include at least the following provisions:

1975 1. A student's attendance may be reported on a pro rata
1976 basis as a fractional part of a full-time equivalent student.

1977 2. At a maximum, 20 percent of the total payment made on
1978 behalf of a student to a private prekindergarten provider or a
1979 public school may be for hours a student is absent.

1980 3. A private prekindergarten provider or public school may
1981 not receive payment for absences that occur before a student's
1982 first day of attendance or after a student's last day of
1983 attendance.

1984
1985 The uniform attendance policy shall be used only for funding
1986 purposes and does not prohibit a private prekindergarten
1987 provider or public school from adopting and enforcing its
1988 attendance policy under paragraphs (a) and (c).

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1989 (7) The department ~~Office of Early Learning~~ shall require
1990 that administrative expenditures be kept to the minimum
1991 necessary for efficient and effective administration of the
1992 Voluntary Prekindergarten Education Program. Administrative
1993 policies and procedures shall be revised, to the maximum extent
1994 practicable, to incorporate the use of automation and electronic
1995 submission of forms, including those required for child
1996 eligibility and enrollment, provider and class registration, and
1997 monthly certification of attendance for payment. A school
1998 district may use its automated daily attendance reporting system
1999 for the purpose of transmitting attendance records to the early
2000 learning coalition in a mutually agreed-upon format. In
2001 addition, actions shall be taken to reduce paperwork, eliminate
2002 the duplication of reports, and eliminate other duplicative
2003 activities. Each early learning coalition may retain and expend
2004 no more than 4.0 percent of the funds paid by the coalition to
2005 private prekindergarten providers and public schools under
2006 paragraph (5) (b). Funds retained by an early learning coalition
2007 under this subsection may be used only for administering the
2008 Voluntary Prekindergarten Education Program and may not be used
2009 for the school readiness program or other programs.

2010 Section 46. Subsection (1) of section 1002.72, Florida
2011 Statutes, is amended to read:

2012 1002.72 Records of children in the Voluntary
2013 Prekindergarten Education Program.—

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2014 (1) (a) The records of a child enrolled in the Voluntary
2015 Prekindergarten Education Program held by an early learning
2016 coalition, the department ~~Office of Early Learning~~, or a
2017 Voluntary Prekindergarten Education Program provider are
2018 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
2019 of the State Constitution. For purposes of this section, such
2020 records include assessment data, health data, records of teacher
2021 observations, and personal identifying information of an
2022 enrolled child and his or her parent.

2023 (b) This exemption applies to the records of a child
2024 enrolled in the Voluntary Prekindergarten Education Program held
2025 by an early learning coalition, the department ~~Office of Early~~
2026 ~~Learning~~, or a Voluntary Prekindergarten Education Program
2027 provider before, on, or after the effective date of this
2028 exemption.

2029 Section 47. Section 1002.73, Florida Statutes, is amended
2030 to read:

2031 1002.73 Department of Education; powers and duties;
2032 accountability requirements.—

2033 (1) The department shall adopt by rule a standard
2034 statewide provider contract to be used with each Voluntary
2035 Prekindergarten Education Program provider, with standardized
2036 attachments by provider type. The department shall publish a
2037 copy of the standard statewide provider contract on its website.
2038 The standard statewide provider contract shall include, at a

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2039 minimum, provisions for provider probation, termination for
2040 cause, and emergency termination for actions or inactions of a
2041 provider that pose an immediate and serious danger to the
2042 health, safety, or welfare of children. The standard statewide
2043 provider contract shall also include appropriate due process
2044 procedures. During the pendency of an appeal of a termination,
2045 the provider may not continue to offer its services. Any
2046 provision imposed upon a provider that is inconsistent with, or
2047 prohibited by, law is void and unenforceable ~~administer the~~
2048 ~~accountability requirements of the Voluntary Prekindergarten~~
2049 ~~Education Program at the state level.~~

2050 (2) The department shall adopt procedures for ~~its~~:

2051 (a) The approval of prekindergarten director credentials
2052 under ss. 1002.55 and 1002.57.

2053 (b) The approval of emergent literacy and early
2054 mathematics skills training courses under ss. 1002.55 and
2055 1002.59.

2056 (c) Annually notifying private prekindergarten providers
2057 and public schools placed on probation for not meeting the
2058 minimum performance metric as required by s. 1002.68 of the free
2059 and low-cost, high-quality professional development
2060 opportunities developed or supported by the department.

2061 (d) The administration of the Voluntary Prekindergarten
2062 Education Program by the early learning coalitions and school
2063 districts, including, but not limited to, procedures for:

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2064 1. Enrolling children in and determining the eligibility
2065 of children for the Voluntary Prekindergarten Education Program
2066 under s. 1002.53, which shall include the enrollment of children
2067 by public schools and private providers that meet specified
2068 requirements.

2069 2. Providing parents with profiles of private
2070 prekindergarten providers and public schools under s. 1002.53.

2071 3. Registering private prekindergarten providers and
2072 public schools to deliver the program under ss. 1002.55,
2073 1002.61, and 1002.63.

2074 4. Determining the eligibility of private prekindergarten
2075 providers to deliver the program under ss. 1002.55 and 1002.61
2076 and streamlining the process of determining provider eligibility
2077 whenever possible.

2078 5. Verifying the compliance of private prekindergarten
2079 providers and public schools and removing providers or schools
2080 from eligibility to deliver the program due to noncompliance or
2081 misconduct as provided in s. 1002.67.

2082 6. Paying private prekindergarten providers and public
2083 schools under s. 1002.71.

2084 7. Documenting and certifying student enrollment and
2085 student attendance under s. 1002.71.

2086 8. Reconciling advance payments in accordance with the
2087 uniform attendance policy under s. 1002.71.

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2088 9. Reenrolling students dismissed by a private
2089 prekindergarten provider or public school for noncompliance with
2090 the provider's or school district's attendance policy under s.
2091 1002.71.

2092 (3) The department shall administer the accountability
2093 requirements of the Voluntary Prekindergarten Education Program
2094 at the state level.

2095 (4) The department shall adopt procedures governing the
2096 administration of the Voluntary Prekindergarten Education
2097 Program by the early learning coalitions and school districts
2098 for:

2099 (a) Approving improvement plans of private prekindergarten
2100 providers and public schools under s. 1002.68.

2101 (b) Placing private prekindergarten providers and public
2102 schools on probation and requiring corrective actions under s.
2103 1002.68.

2104 (c) Removing a private prekindergarten provider or public
2105 school from eligibility to deliver the program due to the
2106 provider's or school's remaining on probation beyond the time
2107 permitted under s. 1002.68. Notwithstanding any other law, if a
2108 private prekindergarten provider has been cited for a class I
2109 violation, as defined by rule by the Child Care Services Program
2110 Office of the Department of Children and Families, the coalition
2111 may refuse to contract with the provider or revoke the

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2112 provider's eligibility to deliver the Voluntary Prekindergarten
2113 Education Program.

2114 (d) Enrolling children in and determining the eligibility
2115 of children for the Voluntary Prekindergarten Education Program
2116 under s. 1002.66.

2117 (e) Paying specialized instructional services providers
2118 under s. 1002.66.

2119 ~~(c) Administration of the statewide kindergarten screening~~
2120 ~~and calculation of kindergarten readiness rates under s.~~
2121 ~~1002.69.~~

2122 ~~(d) Implementation of, and determination of costs~~
2123 ~~associated with, the state-approved prekindergarten enrollment~~
2124 ~~screening and the standardized postassessment approved by the~~
2125 ~~department, and determination of the learning gains of students~~
2126 ~~who complete the state-approved prekindergarten enrollment~~
2127 ~~screening and the standardized postassessment approved by the~~
2128 ~~department.~~

2129 (f)(e) Approving Approval of specialized instructional
2130 services providers under s. 1002.66.

2131 ~~(f) Annual reporting of the percentage of kindergarten~~
2132 ~~students who meet all state readiness measures.~~

2133 (g) Granting of a private prekindergarten provider's or
2134 public school's request for a good cause exemption under s.
2135 1002.68 s. 1002.69(7).

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2136 (5) The department shall adopt procedures for the
2137 distribution of funds to early learning coalitions under s.
2138 1002.71.

2139 ~~(6)(3)~~ Except as provided by law, the department may not
2140 impose requirements on a private prekindergarten provider or
2141 public school that does not deliver the Voluntary
2142 Prekindergarten Education Program or receive state funds under
2143 this part.

2144 Section 48. Sections 1002.75 and 1002.77, Florida
2145 Statutes, are repealed.

2146 Section 49. Section 1002.79, Florida Statutes, is amended
2147 to read:

2148 1002.79 Rulemaking authority.—The State Board of Education
2149 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
2150 and 120.54 to administer the provisions of this part conferring
2151 duties upon the department ~~office~~.

2152 Section 50. Section 1002.81, Florida Statutes, is amended
2153 to read:

2154 1002.81 Definitions.—Consistent with the requirements of
2155 45 C.F.R. parts 98 and 99 and as used in this part, the term:

2156 (1) "At-risk child" means:

2157 (a) A child from a family under investigation by the
2158 Department of Children and Families or a designated sheriff's
2159 office for child abuse, neglect, abandonment, or exploitation.

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2160 (b) A child who is in a diversion program provided by the
2161 Department of Children and Families or its contracted provider
2162 and who is from a family that is actively participating and
2163 complying in department-prescribed activities, including
2164 education, health services, or work.

2165 (c) A child from a family that is under supervision by the
2166 Department of Children and Families or a contracted service
2167 provider for abuse, neglect, abandonment, or exploitation.

2168 (d) A child placed in court-ordered, long-term custody or
2169 under the guardianship of a relative or nonrelative after
2170 termination of supervision by the Department of Children and
2171 Families or its contracted provider.

2172 (e) A child in the custody of a parent who is considered a
2173 victim of domestic violence and is receiving services through a
2174 certified domestic violence center.

2175 (f) A child in the custody of a parent who is considered
2176 homeless as verified by a Department of Children and Families
2177 certified homeless shelter.

2178 (2) "Authorized hours of care" means the hours of care
2179 that are necessary to provide protection, maintain employment,
2180 or complete work activities or eligible educational activities,
2181 including reasonable travel time.

2182 (3)~~(4)~~ "Direct enhancement services" means services for
2183 families and children that are in addition to payments for the
2184 placement of children in the school readiness program. Direct

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2185 enhancement services for families and children may include
2186 supports for providers, parent training and involvement
2187 activities, and strategies to meet the needs of unique
2188 populations and local eligibility priorities. Direct enhancement
2189 services offered by an early learning coalition shall be
2190 consistent with the activities prescribed in s. 1002.89(5)(b) ~~s.~~
2191 ~~1002.89(6)(b)~~.

2192 (4)~~(5)~~ "Disenrollment" means the removal, either temporary
2193 or permanent, of a child from participation in the school
2194 readiness program. Removal of a child from the school readiness
2195 program may be based on the following events: a reduction in
2196 available school readiness program funding, participant's
2197 failure to meet eligibility or program participation
2198 requirements, fraud, or a change in local service priorities.

2199 (5)~~(6)~~ "Earned income" means gross remuneration derived
2200 from work, professional service, or self-employment. The term
2201 includes commissions, bonuses, back pay awards, and the cash
2202 value of all remuneration paid in a medium other than cash.

2203 (6)~~(7)~~ "Economically disadvantaged" means having a family
2204 income that does not exceed 150 percent of the federal poverty
2205 level and includes being a child of a working migratory family
2206 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
2207 worker who is employed by more than one agricultural employer
2208 during the course of a year, and whose income varies according
2209 to weather conditions and market stability.

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2210 ~~(7)-(8)~~ "Family income" means the combined gross income,
2211 whether earned or unearned, that is derived from any source by
2212 all family or household members who are 18 years of age or older
2213 who are currently residing together in the same dwelling unit.
2214 The term does not include income earned by a currently enrolled
2215 high school student who, since attaining the age of 18 years, or
2216 a student with a disability who, since attaining the age of 22
2217 years, has not terminated school enrollment or received a high
2218 school diploma, high school equivalency diploma, special
2219 diploma, or certificate of high school completion. The term also
2220 does not include food stamp benefits or federal housing
2221 assistance payments issued directly to a landlord or the
2222 associated utilities expenses.

2223 ~~(8)-(9)~~ "Family or household members" means spouses, former
2224 spouses, persons related by blood or marriage, persons who are
2225 parents of a child in common regardless of whether they have
2226 been married, and other persons who are currently residing
2227 together in the same dwelling unit as if a family.

2228 ~~(9)-(10)~~ "Full-time care" means at least 6 hours, but not
2229 more than 11 hours, of child care or early childhood education
2230 services within a 24-hour period.

2231 ~~(10)-(11)~~ "Market rate" means the price that a child care
2232 or early childhood education provider charges for full-time or
2233 part-time daily, weekly, or monthly child care or early
2234 childhood education services.

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2235 ~~(12) "Office" means the Office of Early Learning of the~~
2236 ~~Department of Education.~~

2237 ~~(11)-(13)~~ "Part-time care" means less than 6 hours of child
2238 care or early childhood education services within a 24-hour
2239 period.

2240 ~~(12)-(3)~~ "Prevailing Average market rate" means the
2241 biennially determined 75th percentile of a reasonable frequency
2242 distribution average of the market rate by program care level
2243 and provider type in a predetermined geographic market at which
2244 child care providers charge a person for child care services.

2245 ~~(13)-(14)~~ "Single point of entry" means an integrated
2246 information system that allows a parent to enroll his or her
2247 child in the school readiness program or the Voluntary
2248 Prekindergarten Education Program at various locations
2249 throughout a county, that may allow a parent to enroll his or
2250 her child by telephone or through a website, and that uses a
2251 uniform waiting list to track eligible children waiting for
2252 enrollment in the school readiness program.

2253 ~~(14)-(15)~~ "Unearned income" means income other than earned
2254 income. The term includes, but is not limited to:

- 2255 (a) Documented alimony and child support received.
2256 (b) Social security benefits.
2257 (c) Supplemental security income benefits.
2258 (d) Workers' compensation benefits.

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2259 (e) Reemployment assistance or unemployment compensation
2260 benefits.

2261 (f) Veterans' benefits.

2262 (g) Retirement benefits.

2263 (h) Temporary cash assistance under chapter 414.

2264 (15)~~(16)~~ "Working family" means:

2265 (a) A single-parent family in which the parent with whom
2266 the child resides is employed or engaged in eligible work or
2267 education activities for at least 20 hours per week;

2268 (b) A two-parent family in which both parents with whom
2269 the child resides are employed or engaged in eligible work or
2270 education activities for a combined total of at least 40 hours
2271 per week; or

2272 (c) A two-parent family in which one of the parents with
2273 whom the child resides is exempt from work requirements due to
2274 age or disability, as determined and documented by a physician
2275 licensed under chapter 458 or chapter 459, and one parent is
2276 employed or engaged in eligible work or education activities at
2277 least 20 hours per week.

2278 Section 51. Section 1002.82, Florida Statutes, is amended
2279 to read:

2280 1002.82 Department of Education ~~Office of Early Learning~~;
2281 powers and duties.—

2282 (1) For purposes of administration of the Child Care and
2283 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts

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2284 98 and 99, the Department of Education ~~Office of Early Learning~~
2285 is designated as the lead agency and must comply with lead
2286 agency responsibilities pursuant to federal law. The department
2287 ~~office~~ may apply to the Governor and Cabinet for a waiver of,
2288 and the Governor and Cabinet may waive, any provision of ss.
2289 411.223 and 1003.54 if the waiver is necessary for
2290 implementation of the school readiness program. Section
2291 125.901(2)(a)3. does not apply to the school readiness program.

2292 (2) The department ~~office~~ shall:

2293 (a) Focus on improving the educational quality delivered
2294 by all providers participating in the school readiness program.

2295 (b) Preserve parental choice by permitting parents to
2296 choose from a variety of child care categories, including
2297 center-based care, family child care, and informal child care to
2298 the extent authorized in the state's Child Care and Development
2299 Fund Plan as approved by the United States Department of Health
2300 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
2301 curriculum by a faith-based provider may not be limited or
2302 excluded in any of these categories.

2303 (c) Be responsible for the prudent use of all public and
2304 private funds in accordance with all legal and contractual
2305 requirements, safeguarding the effective use of federal, state,
2306 and local resources to achieve the highest practicable level of
2307 school readiness for the children described in s. 1002.87,
2308 including:

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2309 1. The adoption of a uniform chart of accounts for
2310 budgeting and financial reporting purposes that provides
2311 standardized definitions for expenditures and reporting,
2312 consistent with the requirements of 45 C.F.R. part 98 and s.
2313 1002.89 for each of the following categories of expenditure:

- 2314 a. Direct services to children.
- 2315 b. Administrative costs.
- 2316 c. Quality activities.
- 2317 d. Nondirect services.

2318 2. Coordination with other state and federal agencies to
2319 perform data matches on children participating in the school
2320 readiness program and their families in order to verify the
2321 children's eligibility pursuant to s. 1002.87.

2322 (d) Establish procedures for the biennial calculation of
2323 the prevailing average market rate.

2324 (e) Review each early learning coalition's school
2325 readiness program plan every 2 years and provide final approval
2326 of the plan and any amendments submitted.

2327 (f) Establish a unified approach to the state's efforts to
2328 coordinate a comprehensive early learning program. In support of
2329 this effort, the department office:

2330 1. Shall adopt specific program support services that
2331 address the state's school readiness program, including:

- 2332 a. Statewide data information program requirements that
2333 include:

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- 2334 (I) Eligibility requirements.
- 2335 (II) Financial reports.
- 2336 (III) Program accountability measures.
- 2337 (IV) Child progress reports.
- 2338 b. Child care resource and referral services.
- 2339 c. A single point of entry and uniform waiting list.
- 2340 2. May provide technical assistance and guidance on
- 2341 additional support services to complement the school readiness
- 2342 program, including:
- 2343 a. Rating and improvement systems.
- 2344 b. Warm-Line services.
- 2345 c. Anti-fraud plans.
- 2346 d. School readiness program standards.
- 2347 e. Child screening and assessments.
- 2348 f. Training and support for parental involvement in
- 2349 children's early education.
- 2350 g. Family literacy activities and services.
- 2351 (g) Provide technical assistance to early learning
- 2352 coalitions.
- 2353 (h) In cooperation with the early learning coalitions,
- 2354 coordinate with the Child Care Services Program Office of the
- 2355 Department of Children and Families to reduce paperwork and to
- 2356 avoid duplicating interagency activities, health and safety
- 2357 monitoring, and acquiring and composing data pertaining to child
- 2358 care training and credentialing.

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2359 (i) Enter into a memorandum of understanding with local
2360 licensing agencies and the Child Care Services Program Office of
2361 the Department of Children and Families for inspections of
2362 school readiness program providers to monitor and verify
2363 compliance with s. 1002.88 and the health and safety checklist
2364 adopted by the department office. The provider contract of a
2365 school readiness program provider that refuses permission for
2366 entry or inspection shall be terminated. The health and safety
2367 checklist may not exceed the requirements of s. 402.305 and the
2368 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A
2369 child development program that is accredited by a national
2370 accrediting body and operates on a military installation that is
2371 certified by the United States Department of Defense is exempted
2372 from the inspection requirements under s. 1002.88.

2373 (j) Monitor the alignment and consistency of the Develop
2374 and adopt standards and benchmarks developed and adopted by the
2375 department that address the age-appropriate progress of children
2376 in the development of school readiness skills. The standards for
2377 children from birth to 5 years of age in the school readiness
2378 program must be aligned with the performance standards adopted
2379 for children in the Voluntary Prekindergarten Education Program
2380 and must address the following domains:

- 2381 1. Approaches to learning.
- 2382 2. Cognitive development and general knowledge.
- 2383 3. Numeracy, language, and communication.

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- 2384 4. Physical development.
- 2385 5. Self-regulation.
- 2386 (k) Identify observation-based child assessments that are
- 2387 valid, reliable, and developmentally appropriate for use at
- 2388 least three times a year. The assessments must:
- 2389 1. Provide interval level and norm-referenced ~~critereion-~~
- 2390 ~~referenced~~ data that measures equivalent levels of growth across
- 2391 the core domains of early childhood development and that can be
- 2392 used for determining developmentally appropriate learning gains.
- 2393 2. Measure progress in the performance standards adopted
- 2394 pursuant to paragraph (j).
- 2395 3. Provide for appropriate accommodations for children
- 2396 with disabilities and English language learners and be
- 2397 administered by qualified individuals, consistent with the
- 2398 developer's instructions.
- 2399 4. Coordinate with the performance standards adopted by
- 2400 the department under s. 1002.67(1) for the Voluntary
- 2401 Prekindergarten Education Program.
- 2402 5. Provide data in a format for use in the single
- 2403 statewide information system to meet the requirements of
- 2404 paragraph (q) ~~(p)~~.
- 2405 (l) Adopt a list of approved curricula that meet the
- 2406 performance standards for the school readiness program and
- 2407 establish a process for the review and approval of a provider's
- 2408 curriculum that meets the performance standards.

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2409 (m) Provide technical support to an early learning
2410 coalition to facilitate the use of ~~Adopt by rule~~ a standard
2411 statewide provider contract to be used with each school
2412 readiness program provider, with standardized attachments by
2413 provider type. The department ~~office~~ shall publish a copy of the
2414 standard statewide provider contract on its website. The
2415 standard statewide contract shall include, at a minimum,
2416 contracted slots, if applicable, in accordance with the Child
2417 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
2418 and 99; quality improvement strategies, if applicable; program
2419 assessment requirements; and provisions for provider probation,
2420 termination for cause, and emergency termination for those
2421 actions or inactions of a provider that pose an immediate and
2422 serious danger to the health, safety, or welfare of the
2423 children. The standard statewide provider contract shall also
2424 include appropriate due process procedures. During the pendency
2425 of an appeal of a termination, the provider may not continue to
2426 offer its services. Any provision imposed upon a provider that
2427 is inconsistent with, or prohibited by, law is void and
2428 unenforceable. Provisions for termination for cause must also
2429 include failure to meet the minimum quality measures established
2430 under paragraph (n) for a period of up to 5 years, unless the
2431 coalition determines that the provider is essential to meeting
2432 capacity needs based on the assessment under s. 1002.85(2)(j)

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2433 and the provider has an active improvement plan pursuant to
2434 paragraph (n).

2435 (n) Adopt a program assessment for school readiness
2436 program providers that measures the quality of teacher-child
2437 interactions, including emotional and behavioral support,
2438 engaged support for learning, classroom organization, and
2439 instructional support for children ages birth to 5 years. The
2440 implementation of the program assessment must ~~also~~ include the
2441 following components adopted by rule of the State Board of
2442 Education:

2443 1. Quality measures, including a minimum threshold for
2444 contracting purposes and program improvement through an
2445 improvement plan.

2446 2. Requirements for program participation, frequency of
2447 program assessment, and exemptions.

2448 (o) No later than July 1, 2019, develop a differential
2449 payment program based on the quality measures adopted by the
2450 department ~~office~~ under paragraph (n). The differential payment
2451 may not exceed a total of 15 percent for each care level and
2452 unit of child care for a child care provider. No more than 5
2453 percent of the 15 percent total differential may be provided to
2454 providers who submit valid and reliable data to the statewide
2455 information system in the domains of language and executive
2456 functioning using a child assessment identified pursuant to

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2457 paragraph (k). Providers below the minimum threshold for
2458 contracting purposes are ineligible for such payment.

2459 (p) No later than July 1, 2021, develop and adopt
2460 requirements for the implementation of a program designed to
2461 make available contracted slots to serve children at the
2462 greatest risk of school failure as determined by such children
2463 being located in an area that has been designated as a poverty
2464 area tract according to the latest census data. The contracted
2465 slot program may also be used increase the availability of child
2466 care capacity based on the assessment under s. 1002.85(2)(j).

2467 (q)-(p) Establish a single statewide information system
2468 that each coalition must use for the purposes of managing the
2469 single point of entry, tracking children's progress,
2470 coordinating services among stakeholders, determining
2471 eligibility of children, tracking child attendance, and
2472 streamlining administrative processes for providers and early
2473 learning coalitions. By July 1, 2019, the system, subject to ss.
2474 1002.72 and 1002.97, shall:

2475 1. Allow a parent to monitor the development of his or her
2476 child as the child moves among programs within the state.

2477 2. Enable analysis at the state, regional, and local level
2478 to measure child growth over time, program impact, and quality
2479 improvement and investment decisions.

2480 (r)-(q) Provide technical support to coalitions to
2481 facilitate the use of Adopt by rule standardized procedures

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2482 adopted by rule by the state board for coalitions to use when
2483 monitoring the compliance of school readiness program providers
2484 with the terms of the standard statewide provider contract.

2485 ~~(s)-(r)~~ Monitor and evaluate the performance of each early
2486 learning coalition in administering the school readiness
2487 program, ensuring proper payments for school readiness program
2488 services, implementing the coalition's school readiness program
2489 plan, and administering the Voluntary Prekindergarten Education
2490 Program. These monitoring and performance evaluations must
2491 include, at a minimum, onsite monitoring of each coalition's
2492 finances, management, operations, and programs.

2493 ~~(t)-(s)~~ Work in conjunction with the Bureau of Federal
2494 Education Programs within the Department of Education to
2495 coordinate readiness and voluntary prekindergarten services to
2496 the populations served by the bureau.

2497 ~~(u)-(t)~~ Administer a statewide toll-free Warm-Line to
2498 provide assistance and consultation to child care facilities and
2499 family day care homes regarding health, developmental,
2500 disability, and special needs issues of the children they are
2501 serving, particularly children with disabilities and other
2502 special needs. The department ~~office~~ shall:

2503 1. Annually inform child care facilities and family day
2504 care homes of the availability of this service through the child
2505 care resource and referral network under s. 1002.92.

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2506 2. Expand or contract for the expansion of the Warm-Line
2507 to maintain at least one Warm-Line in each early learning
2508 coalition service area.

2509 (v)~~(u)~~ Develop and implement strategies to increase the
2510 supply and improve the quality of child care services for
2511 infants and toddlers, children with disabilities, children who
2512 receive care during nontraditional hours, children in
2513 underserved areas, and children in areas that have significant
2514 concentrations of poverty and unemployment.

2515 (w)~~(v)~~ Establish preservice and inservice training
2516 requirements that address, at a minimum, school readiness child
2517 development standards, health and safety requirements, and
2518 social-emotional behavior intervention models, which may include
2519 positive behavior intervention and support models, including the
2520 integration of early learning professional development pathways
2521 established in s. 1002.995.

2522 (x)~~(w)~~ Establish standards for emergency preparedness
2523 plans for school readiness program providers.

2524 (y)~~(x)~~ Establish group sizes.

2525 (z)~~(y)~~ Establish staff-to-children ratios that do not
2526 exceed the requirements of s. 402.302(8) or (11) or s.
2527 402.305(4), as applicable, for school readiness program
2528 providers.

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2529 (aa) ~~(z)~~ Establish eligibility criteria, including
2530 limitations based on income and family assets, in accordance
2531 with s. 1002.87 and federal law.

2532 (3) If the department ~~office~~ determines during the review
2533 of school readiness program plans, or through monitoring and
2534 performance evaluations conducted under s. 1002.85, that an
2535 early learning coalition has not substantially implemented its
2536 plan, has not substantially met the performance standards and
2537 outcome measures adopted by the department ~~office~~, or has not
2538 effectively administered the school readiness program or
2539 Voluntary Prekindergarten Education Program, the department
2540 ~~office~~ may remove the coalition from eligibility to administer
2541 early learning programs and temporarily contract with a
2542 qualified entity to continue school readiness program and
2543 prekindergarten services in the coalition's county or
2544 multicounty region until the department ~~office~~ reestablishes or
2545 merges the coalition and a new school readiness program plan is
2546 approved in accordance with the rules adopted by the state board
2547 ~~office~~.

2548 (4) The department shall adopt procedures for merging
2549 early learning coalitions, including procedures for the
2550 consolidation of merging coalitions that minimizes duplication
2551 of programs and services due to the merger, and for the early
2552 termination of the terms of the coalition members which are
2553 necessary to accomplish the mergers.

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2554 ~~(5)(4)~~ The department ~~office~~ may request the Governor to
2555 apply for a waiver to allow a coalition to administer the Head
2556 Start Program to accomplish the purposes of the school readiness
2557 program.

2558 ~~(6)(5)~~ By January 1 of each year, the department ~~office~~
2559 shall annually publish on its website a report of its activities
2560 conducted under this section. The report must include a summary
2561 of the coalitions' annual reports, a statewide summary, and the
2562 following:

2563 (a) An analysis of early learning activities throughout
2564 the state, including the school readiness program and the
2565 Voluntary Prekindergarten Education Program.

2566 1. The total and average number of children served in the
2567 school readiness program, enumerated by age, eligibility
2568 priority category, and coalition, and the total number of
2569 children served in the Voluntary Prekindergarten Education
2570 Program.

2571 2. A summary of expenditures by coalition, by fund source,
2572 including a breakdown by coalition of the percentage of
2573 expenditures for administrative activities, quality activities,
2574 nondirect services, and direct services for children.

2575 3. A description of the department's ~~office's~~ and each
2576 coalition's expenditures by fund source for the quality and
2577 enhancement activities described in s. 1002.89(5)(b) ~~s.~~
2578 ~~1002.89(6)(b)~~.

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2579 4. A summary of annual findings and collections related to
2580 provider fraud and parent fraud.

2581 5. Data regarding the coalitions' delivery of early
2582 learning programs.

2583 6. The total number of children disenrolled statewide and
2584 the reason for disenrollment.

2585 7. The total number of providers by provider type.

2586 8. The number of school readiness program providers who
2587 have completed the program assessment required under paragraph
2588 (2) (n); the number of providers who have not met the minimum
2589 threshold for contracting established under paragraph (2) (n);
2590 and the number of providers that have an active improvement plan
2591 based on the results of the program assessment under paragraph
2592 (2) (n).

2593 9. The total number of provider contracts revoked and the
2594 reasons for revocation.

2595 (b) A summary of the activities and detailed expenditures
2596 related to the Child Care Executive Partnership Program.

2597 (7) (a) ~~(6) (a)~~ Parental choice of child care providers,
2598 including private and faith-based providers, shall be
2599 established to the maximum extent practicable in accordance with
2600 45 C.F.R. s. 98.30.

2601 (b) As used in this subsection, the term "payment
2602 certificate" means a child care certificate as defined in 45
2603 C.F.R. s. 98.2.

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2604 (c) The school readiness program shall, in accordance with
2605 45 C.F.R. s. 98.30, provide parental choice through a payment
2606 certificate that provides, to the maximum extent possible,
2607 flexibility in the school readiness program and payment
2608 arrangements. The payment certificate must bear the names of the
2609 beneficiary and the program provider and, when redeemed, must
2610 bear the signatures of both the beneficiary and an authorized
2611 representative of the provider.

2612 (d) If it is determined that a provider has given any cash
2613 or other consideration to the beneficiary in return for
2614 receiving a payment certificate, the early learning coalition or
2615 its fiscal agent shall refer the matter to the Department of
2616 Financial Services pursuant to s. 414.411 for investigation.

2617 ~~(8)-(7)~~ Participation in the school readiness program does
2618 not expand the regulatory authority of the state, its officers,
2619 or an early learning coalition to impose any additional
2620 regulation on providers beyond those necessary to enforce the
2621 requirements set forth in this part and part V of this chapter.

2622 Section 52. Subsections (1), (2), and (3), paragraph (m)
2623 of subsection (4), and subsections (5), (11), and (13) of
2624 section 1002.83, Florida Statutes, are amended to read:

2625 1002.83 Early learning coalitions.—

2626 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
2627 are established and shall maintain direct enhancement services
2628 at the local level and provide access to such services in all 67

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2629 counties. Two or more early learning coalitions may join for
2630 purposes of planning and implementing a school readiness program
2631 and the Voluntary Prekindergarten Education Program.

2632 (2) Each early learning coalition shall be composed of at
2633 least 13 ~~15~~ members but not more than 15 ~~30~~ members.

2634 (3) The Governor shall appoint the chair and two other
2635 members of each early learning coalition, who must each meet the
2636 ~~same~~ qualifications of a ~~as~~ private sector business member
2637 ~~members appointed by the coalition~~ under subsection (5).

2638 (4) Each early learning coalition must include the
2639 following member positions; however, in a multicounty coalition,
2640 each ex officio member position may be filled by multiple
2641 nonvoting members but no more than one voting member shall be
2642 seated per member position. If an early learning coalition has
2643 more than one member representing the same entity, only one of
2644 such members may serve as a voting member:

2645 ~~(m) A central agency administrator, where applicable.~~

2646 (5) ~~Including the~~ Members appointed by the Governor under
2647 subsection (3), ~~more than one-third of the members of each early~~
2648 ~~learning coalition~~ must be private sector business members,
2649 either for-profit or nonprofit, who do not have, and none of
2650 whose relatives as defined in s. 112.3143 has, a substantial
2651 financial interest in the design or delivery of the Voluntary
2652 Prekindergarten Education Program created under part V of this
2653 chapter or the school readiness program. ~~To meet this~~

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2654 ~~requirement, an early learning coalition must appoint additional~~
2655 ~~members.~~ The department office shall establish criteria for
2656 appointing private sector business members. These criteria must
2657 include standards for determining whether a member or relative
2658 has a substantial financial interest in the design or delivery
2659 of the Voluntary Prekindergarten Education Program or the school
2660 readiness program.

2661 (11) Each early learning coalition shall establish terms
2662 for all appointed members of the coalition. The terms must be
2663 staggered and must be a uniform length that does not exceed 4
2664 years per term. ~~Coalition chairs shall be appointed for 4 years~~
2665 ~~in conjunction with their membership on the Early Learning~~
2666 ~~Advisory Council pursuant to s. 20.052.~~ Appointed members may
2667 serve a maximum of two consecutive terms. When a vacancy occurs
2668 in an appointed position, the coalition must advertise the
2669 vacancy.

2670 (13) Each early learning coalition shall use a coordinated
2671 professional development system that supports the achievement
2672 and maintenance of core competencies by school readiness program
2673 teachers in helping children attain the performance standards
2674 adopted by the department office.

2675 Section 53. Subsections (17) through (20) of section
2676 1002.84, Florida Statutes, are renumbered as subsections (16)
2677 through (19), respectively, and subsections (1), (2), (4), (7),

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2678 (8), (15), and (16) and present subsections (17), (18), and (20)
2679 of that section are amended to read:

2680 1002.84 Early learning coalitions; school readiness powers
2681 and duties.—Each early learning coalition shall:

2682 (1) Administer and implement a local comprehensive program
2683 of school readiness program services in accordance with this
2684 part and the rules adopted by the department office, which
2685 enhances the cognitive, social, and physical development of
2686 children to achieve the performance standards.

2687 (2) Establish a uniform waiting list to track eligible
2688 children waiting for enrollment in the school readiness program
2689 in accordance with rules adopted by the State Board of Education
2690 office.

2691 (4) Establish a regional Warm-Line as directed by the
2692 department office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.
2693 Regional Warm-Line staff shall provide onsite technical
2694 assistance, when requested, to assist child care facilities and
2695 family day care homes with inquiries relating to the strategies,
2696 curriculum, and environmental adaptations the child care
2697 facilities and family day care homes may need as they serve
2698 children with disabilities and other special needs.

2699 (7) Determine child eligibility pursuant to s. 1002.87 and
2700 provider eligibility pursuant to s. 1002.88. Child eligibility
2701 must be redetermined annually. A coalition must document the
2702 reason a child is no longer eligible for the school readiness

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2703 program according to the standard codes prescribed by the
2704 department office.

2705 (8) Establish a parent sliding fee scale that provides for
2706 a parent copayment that is not a barrier to families receiving
2707 school readiness program services. ~~Providers are required to~~
2708 ~~collect the parent's copayment.~~ A coalition may, ~~on a case-by-~~
2709 ~~case basis,~~ waive the copayment for an at-risk child or
2710 temporarily waive the copayment for a child whose family's
2711 income is at or below the federal poverty level or ~~and~~ whose
2712 family experiences a natural disaster or an event that limits
2713 the parent's ability to pay, such as incarceration, placement in
2714 residential treatment, or becoming homeless, or an emergency
2715 situation such as a household fire or burglary, or while the
2716 parent is participating in parenting classes or participating in
2717 an Early Head Start program or Head Start Program. A parent may
2718 not transfer school readiness program services to another school
2719 readiness program provider until the parent has submitted
2720 documentation from the current school readiness program provider
2721 to the early learning coalition stating that the parent has
2722 satisfactorily fulfilled the copayment obligation.

2723 (15) Monitor school readiness program providers in
2724 accordance with its plan, or in response to a parental
2725 complaint, to verify that the standards prescribed in ss.
2726 1002.82 and 1002.88 are being met using a standard monitoring
2727 tool adopted by the department office. Providers determined to

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2728 be high-risk by the coalition, as demonstrated by substantial
2729 findings of violations of federal law or the general or local
2730 laws of the state, shall be monitored more frequently. Providers
2731 with 3 consecutive years of compliance may be monitored
2732 biennially.

2733 ~~(16) Adopt a payment schedule that encompasses all~~
2734 ~~programs funded under this part and part V of this chapter. The~~
2735 ~~payment schedule must take into consideration the average market~~
2736 ~~rate, include the projected number of children to be served, and~~
2737 ~~be submitted for approval by the office. Informal child care~~
2738 ~~arrangements shall be reimbursed at not more than 50 percent of~~
2739 ~~the rate adopted for a family day care home.~~

2740 (16)~~(17)~~ Implement an anti-fraud plan addressing the
2741 detection, reporting, and prevention of overpayments, abuse, and
2742 fraud relating to the provision of and payment for school
2743 readiness program and Voluntary Prekindergarten Education
2744 Program services and submit the plan to the department office
2745 for approval, as required by s. 1002.91.

2746 (17)~~(18)~~ By October 1 of each year, submit an annual
2747 report to the department office. The report shall conform to the
2748 format adopted by the department office and must include:

2749 (a) Segregation of school readiness program funds,
2750 Voluntary Prekindergarten Education Program funds, Child Care
2751 Executive Partnership Program funds, and other local revenues
2752 available to the coalition.

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2753 (b) Details of expenditures by fund source, including
2754 total expenditures for administrative activities, quality
2755 activities, nondirect services, and direct services for
2756 children.

2757 (c) The total number of coalition staff and the related
2758 expenditures for salaries and benefits. For any subcontracts,
2759 the total number of contracted staff and the related
2760 expenditures for salaries and benefits must be included.

2761 (d) The number of children served in the school readiness
2762 program, by provider type, enumerated by age and eligibility
2763 priority category, reported as the number of children served
2764 during the month, the average participation throughout the
2765 month, and the number of children served during the month.

2766 (e) The total number of children disenrolled during the
2767 year and the reasons for disenrollment.

2768 (f) The total number of providers by provider type.

2769 (g) A listing of any school readiness program provider, by
2770 type, whose eligibility to deliver the school readiness program
2771 is revoked, including a brief description of the state or
2772 federal violation that resulted in the revocation.

2773 (h) An evaluation of its direct enhancement services.

2774 (i) The total number of children served in each provider
2775 facility.

2776 ~~(19) (a) (20)~~ To increase transparency and accountability,
2777 comply with the requirements of this section before contracting

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2778 with one or more of the following persons or business entities
2779 which employs, has a contractual relationship with, or is owned
2780 by the following persons:

2781 1. A member of the coalition appointed pursuant to s.
2782 1002.83(4);

2783 2. A board member of any other early learning subrecipient
2784 entity;

2785 3. A coalition employee; or

2786 4. A relative, as defined in s. 112.3143(1)(c), of any
2787 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
2788 ~~employee of the coalition.~~

2789 (b) Such contracts may not be executed without the
2790 approval of the ~~department office~~. Such contracts, as well as
2791 documentation demonstrating adherence to this section by the
2792 coalition, must be approved by a two-thirds vote of the
2793 coalition, a quorum having been established; all conflicts of
2794 interest must be disclosed before the vote; and any member who
2795 may benefit from the contract, or whose relative may benefit
2796 from the contract, must abstain from the vote. A contract under
2797 \$25,000 ~~between an early learning coalition and a member of that~~
2798 ~~coalition or between a relative, as defined in s.~~

2799 ~~112.3143(1)(c), of a coalition member or of an employee of the~~
2800 ~~coalition~~ is not required to have the prior approval of the
2801 ~~department office~~ but must be approved by a two-thirds vote of
2802 the coalition, a quorum having been established, and must be

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2803 reported to the department office within 30 days after approval.
2804 If a contract cannot be approved by the department office, a
2805 review of the decision to disapprove the contract may be
2806 requested by the early learning coalition or other parties to
2807 the disapproved contract.

2808 Section 54. Section 1002.85, Florida Statutes, is amended
2809 to read:

2810 1002.85 Early learning coalition plans.—

2811 (1) The department office shall adopt rules prescribing
2812 the standardized format and required content of school readiness
2813 program plans as necessary for a coalition or other qualified
2814 entity to administer the school readiness program as provided in
2815 this part.

2816 (2) Each early learning coalition must biennially submit a
2817 school readiness program plan to the department office before
2818 the expenditure of funds. A coalition may not implement its
2819 school readiness program plan until it receives approval from
2820 the department office. A coalition may not implement any
2821 revision to its school readiness program plan until the
2822 coalition submits the revised plan to and receives approval from
2823 the department office. If the department office rejects a plan
2824 or revision, the coalition must continue to operate under its
2825 previously approved plan. The plan must include, but is not
2826 limited to:

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2827 (a) The coalition's operations, including its membership
2828 and business organization, and the coalition's articles of
2829 incorporation and bylaws if the coalition is organized as a
2830 corporation. If the coalition is not organized as a corporation
2831 or other business entity, the plan must include the contract
2832 with a fiscal agent.

2833 (b) The minimum number of children to be served by care
2834 level.

2835 (c) The coalition's procedures for implementing the
2836 requirements of this part, including:

- 2837 1. Single point of entry.
- 2838 2. Uniform waiting list.
- 2839 3. Eligibility and enrollment processes and local
2840 eligibility priorities for children pursuant to s. 1002.87.
- 2841 4. Parent access and choice.
- 2842 5. Sliding fee scale and policies on applying the waiver
2843 or reduction of fees in accordance with s. 1002.84(8).
- 2844 6. Use of preassessments and postassessments, as
2845 applicable.
- 2846 7. Payment rate schedule.
- 2847 8. Use of contracted slots, as applicable, based on the
2848 results of the assessment required under paragraph (j).

2849 (d) A detailed description of the coalition's quality
2850 activities and services, including, but not limited to:

- 2851 1. Resource and referral and school-age child care.

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2852 2. Infant and toddler early learning.

2853 3. Inclusive early learning programs.

2854 4. Quality improvement strategies that strengthen teaching
2855 practices and increase child outcomes.

2856 (e) A detailed budget that outlines estimated expenditures
2857 for state, federal, and local matching funds at the lowest level
2858 of detail available by other-cost-accumulator code number; all
2859 estimated sources of revenue with identifiable descriptions; a
2860 listing of full-time equivalent positions; contracted
2861 subcontractor costs with related annual compensation amount or
2862 hourly rate of compensation; and a capital improvements plan
2863 outlining existing fixed capital outlay projects and proposed
2864 capital outlay projects that will begin during the budget year.

2865 (f) A detailed accounting, in the format prescribed by the
2866 department office, of all revenues and expenditures during the
2867 previous state fiscal year. Revenue sources should be
2868 identifiable, and expenditures should be reported by three
2869 categories: state and federal funds, local matching funds, and
2870 Child Care Executive Partnership Program funds.

2871 (g) Updated policies and procedures, including those
2872 governing procurement, maintenance of tangible personal
2873 property, maintenance of records, information technology
2874 security, and disbursement controls.

2875 (h) A description of the procedures for monitoring school
2876 readiness program providers, including in response to a parental

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2877 complaint, to determine that the standards prescribed in ss.
2878 1002.82 and 1002.88 are met using a standard monitoring tool
2879 adopted by the department ~~office~~. Providers determined to be
2880 high risk by the coalition as demonstrated by substantial
2881 findings of violations of law shall be monitored more
2882 frequently.

2883 (i) Documentation that the coalition has solicited and
2884 considered comments regarding the proposed school readiness
2885 program plan from the local community.

2886 (j) An assessment of local priorities within the county or
2887 multicounty region based on the needs of families and provider
2888 capacity using available community data.

2889 (3) The coalition may periodically amend its plan as
2890 necessary. An amended plan must be submitted to and approved by
2891 the department ~~office~~ before any expenditures are incurred on
2892 the new activities proposed in the amendment.

2893 (4) The department ~~office~~ shall publish a copy of the
2894 standardized format and required content of school readiness
2895 program plans on its website.

2896 (5) The department ~~office~~ shall collect and report data on
2897 coalition delivery of early learning programs. Elements shall
2898 include, but are not limited to, measures related to progress
2899 towards reducing the number of children on the waiting list, the
2900 percentage of children served by the program as compared to the
2901 number of administrative staff and overhead, the percentage of

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2902 children served compared to total number of children under the
2903 age of 5 years below 150 percent of the federal poverty level,
2904 provider payment processes, fraud intervention, child attendance
2905 and stability, use of child care resource and referral, and
2906 kindergarten readiness outcomes for children in the Voluntary
2907 Prekindergarten Education Program or the school readiness
2908 program upon entry into kindergarten. The department office
2909 shall request input from the coalitions and school readiness
2910 program providers before finalizing the format and data to be
2911 used. The report shall be implemented beginning July 1, 2014,
2912 and results of the report must be included in the annual report
2913 under s. 1002.82.

2914 Section 55. Paragraphs (a), (b), (c), (e), (f), (m), (n),
2915 (p), and (q) of subsection (1) and subsection (3) of section
2916 1002.88, Florida Statutes, are amended, and paragraph (s) is
2917 added to subsection (1) of that section, to read:

2918 1002.88 School readiness program provider standards;
2919 eligibility to deliver the school readiness program.-

2920 (1) To be eligible to deliver the school readiness
2921 program, a school readiness program provider must:

2922 (a) Be a child care facility licensed under s. 402.305, a
2923 family day care home licensed or registered under s. 402.313, a
2924 large family child care home licensed under s. 402.3131, a
2925 public school or nonpublic school exempt from licensure under s.
2926 402.3025, a faith-based child care provider exempt from

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2927 licensure under s. 402.316, a before-school or after-school
2928 program described in s. 402.305(1)(c), a child development
2929 program that is accredited by a national accrediting body and
2930 operates on a military installation that is certified by the
2931 United States Department of Defense, ~~or~~ an informal child care
2932 provider to the extent authorized in the state's Child Care and
2933 Development Fund Plan as approved by the United States
2934 Department of Health and Human Services pursuant to 45 C.F.R. s.
2935 98.18, or a provider who has been issued a provisional license
2936 pursuant to s. 402.309. A provider may not deliver the program
2937 while holding a probation-status license under s. 402.310.

2938 (b) Provide instruction and activities to enhance the age-
2939 appropriate progress of each child in attaining the child
2940 development standards adopted by the department ~~office~~ pursuant
2941 to s. 1002.82(2)(j). A provider should include activities to
2942 foster brain development in infants and toddlers; provide an
2943 environment that is rich in language and music and filled with
2944 objects of various colors, shapes, textures, and sizes to
2945 stimulate visual, tactile, auditory, and linguistic senses; and
2946 include 30 minutes of reading to children each day.

2947 (c) Provide basic health and safety of its premises and
2948 facilities and compliance with requirements for age-appropriate
2949 immunizations of children enrolled in the school readiness
2950 program.

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2951 1. For a provider that is licensed, compliance with s.
2952 402.305, s. 402.3131, or s. 402.313 and this subsection, as
2953 verified pursuant to s. 402.311, satisfies this requirement.

2954 2. For a provider that is a registered family day care
2955 home or is not subject to licensure or registration by the
2956 Department of Children and Families, compliance with this
2957 subsection, as verified pursuant to s. 402.311, satisfies this
2958 requirement. Upon verification pursuant to s. 402.311, the
2959 provider shall annually post the health and safety checklist
2960 adopted by the department ~~office~~ prominently on its premises in
2961 plain sight for visitors and parents and shall annually submit
2962 the checklist to its local early learning coalition.

2963 3. For a child development program that is accredited by a
2964 national accrediting body and operates on a military
2965 installation that is certified by the United States Department
2966 of Defense, the submission and verification of annual
2967 inspections pursuant to United States Department of Defense
2968 Instructions 6060.2 and 1402.05 satisfies this requirement.

2969 (e) Employ child care personnel, as defined in s.
2970 402.302(3), who have satisfied the screening requirements of
2971 chapter 402 and fulfilled the training requirements of the
2972 department ~~office~~.

2973 (f) Implement one of the curricula approved by the
2974 department ~~office~~ that meets the child development standards.

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2975 (m) For a provider that is not an informal provider,
2976 maintain general liability insurance and provide the coalition
2977 with written evidence of general liability insurance coverage,
2978 including coverage for transportation of children if school
2979 readiness program children are transported by the provider. A
2980 provider must obtain and retain an insurance policy that
2981 provides a minimum of \$100,000 of coverage per occurrence and a
2982 minimum of \$300,000 general aggregate coverage. The department
2983 ~~office~~ may authorize lower limits upon request, as appropriate.
2984 A provider must add the coalition as a named certificateholder
2985 and as an additional insured. A provider must provide the
2986 coalition with a minimum of 10 calendar days' advance written
2987 notice of cancellation of or changes to coverage. The general
2988 liability insurance required by this paragraph must remain in
2989 full force and effect for the entire period of the provider
2990 contract with the coalition.

2991 (n) For a provider that is an informal provider, comply
2992 with the provisions of paragraph (m) or maintain homeowner's
2993 liability insurance and, if applicable, a business rider. If an
2994 informal provider chooses to maintain a homeowner's policy, the
2995 provider must obtain and retain a homeowner's insurance policy
2996 that provides a minimum of \$100,000 of coverage per occurrence
2997 and a minimum of \$300,000 general aggregate coverage. The
2998 department ~~office~~ may authorize lower limits upon request, as
2999 appropriate. An informal provider must add the coalition as a

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3000 named certificateholder and as an additional insured. An
3001 informal provider must provide the coalition with a minimum of
3002 10 calendar days' advance written notice of cancellation of or
3003 changes to coverage. The general liability insurance required by
3004 this paragraph must remain in full force and effect for the
3005 entire period of the provider's contract with the coalition.

3006 (p) Notwithstanding paragraph (m), for a provider that is
3007 a state agency or a subdivision thereof, as defined in s.
3008 768.28(2), agree to notify the coalition of any additional
3009 liability coverage maintained by the provider in addition to
3010 that otherwise established under s. 768.28. The provider shall
3011 indemnify the coalition to the extent permitted by s. 768.28.
3012 Notwithstanding paragraph (m), for a child development program
3013 that is accredited by a national accrediting body and operates
3014 on a military installation that is certified by the United
3015 States Department of Defense, the provider may demonstrate
3016 liability coverage by affirming that it is subject to the
3017 Federal Tort Claims Act, 28 U.S.C. ss. 2671 et seq.

3018 (q) Execute the standard statewide provider contract
3019 adopted by the department ~~office~~.

3020 (s) Collect all parent copayment fees unless a waiver has
3021 been granted under s. 1002.84(8).

3022 (3) The department ~~office~~ and the coalitions may not:

3023 (a) Impose any requirement on a child care provider or
3024 early childhood education provider that does not deliver

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3025 services under the school readiness program or receive state or
3026 federal funds under this part;

3027 (b) Impose any requirement on a school readiness program
3028 provider that exceeds the authority provided under this part or
3029 part V of this chapter or rules adopted pursuant to this part or
3030 part V of this chapter; or

3031 (c) Require a provider to administer a preassessment or
3032 postassessment.

3033 Section 56. Subsections (3) through (7) of section
3034 1002.89, Florida Statutes, are renumbered as subsections (2)
3035 through (6), respectively, and subsection (2) and present
3036 subsections (3), and (6) of that section are amended, to read:

3037 1002.89 School readiness program; funding.—

3038 ~~(2) The office shall administer school readiness program~~
3039 ~~funds and prepare and submit a unified budget request for the~~
3040 ~~school readiness program in accordance with chapter 216.~~

3041 ~~(2)(3)~~ All instructions to early learning coalitions for
3042 administering this section shall emanate from the department
3043 ~~office~~ in accordance with the policies of the Legislature.

3044 ~~(5)(6)~~ Costs shall be kept to the minimum necessary for
3045 the efficient and effective administration of the school
3046 readiness program with the highest priority of expenditure being
3047 direct services for eligible children. However, no more than 5
3048 percent of the funds described in subsection (4) ~~subsection (5)~~
3049 may be used for administrative costs and no more than 22 percent

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3050 of the funds described in subsection (4) ~~subsection (5)~~ may be
3051 used in any fiscal year for any combination of administrative
3052 costs, quality activities, and nondirect services as follows:

3053 (a) Administrative costs as described in 45 C.F.R. s.
3054 98.52, which shall include monitoring providers using the
3055 standard methodology adopted under s. 1002.82 to improve
3056 compliance with state and federal regulations and law pursuant
3057 to the requirements of the statewide provider contract adopted
3058 under s. 1002.82(2)(m).

3059 (b) Activities to improve the quality of child care as
3060 described in 45 C.F.R. s. 98.51, which shall be limited to the
3061 following:

3062 1. Developing, establishing, expanding, operating, and
3063 coordinating resource and referral programs specifically related
3064 to the provision of comprehensive consumer education to parents
3065 and the public to promote informed child care choices specified
3066 in 45 C.F.R. s. 98.33.

3067 2. Awarding grants and providing financial support to
3068 school readiness program providers and their staff to assist
3069 them in meeting applicable state requirements for the program
3070 assessment required under s. 1002.82(2)(n), child care
3071 performance standards, implementing developmentally appropriate
3072 curricula and related classroom resources that support
3073 curricula, providing literacy supports, and providing continued
3074 professional development and training. Any grants awarded

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3075 | pursuant to this subparagraph shall comply with ss. 215.971 and
3076 | 287.058.

3077 | 3. Providing training, technical assistance, and financial
3078 | support to school readiness program providers, staff, and
3079 | parents on standards, child screenings, child assessments, child
3080 | development research and best practices, developmentally
3081 | appropriate curricula, character development, teacher-child
3082 | interactions, age-appropriate discipline practices, health and
3083 | safety, nutrition, first aid, cardiopulmonary resuscitation, the
3084 | recognition of communicable diseases, and child abuse detection,
3085 | prevention, and reporting.

3086 | 4. Providing, from among the funds provided for the
3087 | activities described in subparagraphs 1.-3., adequate funding
3088 | for infants and toddlers as necessary to meet federal
3089 | requirements related to expenditures for quality activities for
3090 | infant and toddler care.

3091 | 5. Improving the monitoring of compliance with, and
3092 | enforcement of, applicable state and local requirements as
3093 | described in and limited by 45 C.F.R. s. 98.40.

3094 | 6. Responding to Warm-Line requests by providers and
3095 | parents, including providing developmental and health screenings
3096 | to school readiness program children.

3097 | (c) Nondirect services as described in applicable Office
3098 | of Management and Budget instructions are those services not
3099 | defined as administrative, direct, or quality services that are

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3100 required to administer the school readiness program. Such
3101 services include, but are not limited to:

- 3102 1. Assisting families to complete the required application
3103 and eligibility documentation.
- 3104 2. Determining child and family eligibility.
- 3105 3. Recruiting eligible child care providers.
- 3106 4. Processing and tracking attendance records.
- 3107 5. Developing and maintaining a statewide child care
3108 information system.

3109

3110 As used in this paragraph, the term "nondirect services" does
3111 not include payments to school readiness program providers for
3112 direct services provided to children who are eligible under s.
3113 1002.87, administrative costs as described in paragraph (a), or
3114 quality activities as described in paragraph (b).

3115 Section 57. Subsection (1), paragraph (a) of subsection
3116 (2), and subsections (4), (5), and (6) of section 1002.895,
3117 Florida Statutes, are amended to read:

3118 1002.895 Market rate schedule.—The school readiness
3119 program market rate schedule shall be implemented as follows:

3120 (1) The department ~~office~~ shall establish procedures for
3121 the adoption of a market rate schedule. The schedule must
3122 include, at a minimum, county-by-county rates:

3123 (a) The market rate, including the minimum and the maximum
3124 rates for child care providers that hold a Gold Seal Quality

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3125 Care designation under s. 1002.945 and adhere to its accrediting
3126 association's teacher-to-child ratios and group size
3127 requirements ~~s. 402.281~~.

3128 (b) The market rate for child care providers that do not
3129 hold a Gold Seal Quality Care designation.

3130 (2) The market rate schedule, at a minimum, must:

3131 (a) Differentiate rates by type, including, but not
3132 limited to, a child care provider that holds a Gold Seal Quality
3133 Care designation under s. 1002.945 and adheres to its
3134 accrediting association's teacher-to-child ratios and group size
3135 requirements ~~s. 402.281~~, a child care facility licensed under s.
3136 402.305, a public or nonpublic school exempt from licensure
3137 under s. 402.3025, a faith-based child care facility exempt from
3138 licensure under s. 402.316 that does not hold a Gold Seal
3139 Quality Care designation, a large family child care home
3140 licensed under s. 402.3131, or a family day care home licensed
3141 or registered under s. 402.313.

3142 (4) The market rate schedule shall be considered by the
3143 Early Learning Program Estimating Conference under s. 216.136(8)
3144 ~~an early learning coalition~~ in the adoption of a payment
3145 schedule. The payment schedule must take into consideration the
3146 prevailing average market rate and, include the projected number
3147 of children to be served by each county, ~~and be submitted for~~
3148 ~~approval by the office~~. Informal child care arrangements shall

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3149 | be reimbursed at not more than 50 percent of the rate adopted
3150 | for a family day care home.

3151 | (5) The department ~~office~~ may contract with one or more
3152 | qualified entities to administer this section and provide
3153 | support and technical assistance for child care providers.

3154 | (6) The department ~~office~~ may adopt rules for establishing
3155 | procedures for the collection of child care providers' market
3156 | rate, the calculation of the prevailing ~~average~~ market rate by
3157 | program care level and provider type in a predetermined
3158 | geographic market, and the publication of the market rate
3159 | schedule.

3160 | Section 58. Section 1002.91, Florida Statutes, is amended
3161 | to read:

3162 | 1002.91 Investigations of fraud or overpayment;
3163 | penalties.—

3164 | (1) As used in this subsection, the term "fraud" means an
3165 | intentional deception, omission, or misrepresentation made by a
3166 | person with knowledge that the deception, omission, or
3167 | misrepresentation may result in unauthorized benefit to that
3168 | person or another person, or any aiding and abetting of the
3169 | commission of such an act. The term includes any act that
3170 | constitutes fraud under applicable federal or state law.

3171 | (2) To recover state, federal, and local matching funds,
3172 | the department ~~office~~ shall investigate early learning
3173 | coalitions, recipients, and providers of the school readiness

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3174 program and the Voluntary Prekindergarten Education Program to
3175 determine possible fraud or overpayment. If by its own
3176 inquiries, or as a result of a complaint, the department ~~office~~
3177 has reason to believe that a person, coalition, or provider has
3178 engaged in, or is engaging in, a fraudulent act, it shall
3179 investigate and determine whether any overpayment has occurred
3180 due to the fraudulent act. During the investigation, the
3181 department ~~office~~ may examine all records, including electronic
3182 benefits transfer records, and make inquiry of all persons who
3183 may have knowledge as to any irregularity incidental to the
3184 disbursement of public moneys or other items or benefits
3185 authorizations to recipients.

3186 (3) Based on the results of the investigation, the
3187 department ~~office~~ may, in its discretion, refer the
3188 investigation to the Department of Financial Services for
3189 criminal investigation or refer the matter to the applicable
3190 coalition. Any suspected criminal violation identified by the
3191 department ~~office~~ must be referred to the Department of
3192 Financial Services for criminal investigation.

3193 (4) An early learning coalition may suspend or terminate a
3194 provider from participation in the school readiness program or
3195 the Voluntary Prekindergarten Education Program when it has
3196 reasonable cause to believe that the provider has committed
3197 fraud. The department ~~office~~ shall adopt by rule appropriate due
3198 process procedures that the early learning coalition shall apply

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3199 in suspending or terminating any provider, including the
3200 suspension or termination of payment. If suspended, the provider
3201 shall remain suspended until the completion of any investigation
3202 by the department office, the Department of Financial Services,
3203 or any other state or federal agency, and any subsequent
3204 prosecution or other legal proceeding.

3205 (5) If a school readiness program provider or a Voluntary
3206 Prekindergarten Education Program provider, or an owner,
3207 officer, or director thereof, is convicted of, found guilty of,
3208 or pleads guilty or nolo contendere to, regardless of
3209 adjudication, public assistance fraud pursuant to s. 414.39, or
3210 is acting as the beneficial owner for someone who has been
3211 convicted of, found guilty of, or pleads guilty or nolo
3212 contendere to, regardless of adjudication, public assistance
3213 fraud pursuant to s. 414.39, the early learning coalition shall
3214 refrain from contracting with, or using the services of, that
3215 provider for a period of 5 years. In addition, the coalition
3216 shall refrain from contracting with, or using the services of,
3217 any provider that shares an officer or director with a provider
3218 that is convicted of, found guilty of, or pleads guilty or nolo
3219 contendere to, regardless of adjudication, public assistance
3220 fraud pursuant to s. 414.39 for a period of 5 years.

3221 (6) If the investigation is not confidential or otherwise
3222 exempt from disclosure by law, the results of the investigation
3223 may be reported by the department office to the appropriate

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3224 legislative committees, the Department of Children and Families,
3225 and such other persons as the department ~~office~~ deems
3226 appropriate.

3227 (7) The early learning coalition may not contract with a
3228 school readiness program provider or a Voluntary Prekindergarten
3229 Education Program provider who is on the United States
3230 Department of Agriculture National Disqualified List. In
3231 addition, the coalition may not contract with any provider that
3232 shares an officer or director with a provider that is on the
3233 United States Department of Agriculture National Disqualified
3234 List.

3235 (8) Each early learning coalition shall adopt an anti-
3236 fraud plan addressing the detection and prevention of
3237 overpayments, abuse, and fraud relating to the provision of and
3238 payment for school readiness program and Voluntary
3239 Prekindergarten Education Program services and submit the plan
3240 to the department ~~office~~ for approval. The department ~~office~~
3241 shall adopt rules establishing criteria for the anti-fraud plan,
3242 including appropriate due process provisions. The anti-fraud
3243 plan must include, at a minimum:

3244 (a) A written description or chart outlining the
3245 organizational structure of the plan's personnel who are
3246 responsible for the investigation and reporting of possible
3247 overpayment, abuse, or fraud.

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3248 (b) A description of the plan's procedures for detecting
3249 and investigating possible acts of fraud, abuse, or overpayment.

3250 (c) A description of the plan's procedures for the
3251 mandatory reporting of possible overpayment, abuse, or fraud to
3252 the Office of Inspector General within the department ~~office~~.

3253 (d) A description of the plan's program and procedures for
3254 educating and training personnel on how to detect and prevent
3255 fraud, abuse, and overpayment.

3256 (e) A description of the plan's procedures, including the
3257 appropriate due process provisions adopted by the department
3258 ~~office~~ for suspending or terminating from the school readiness
3259 program or the Voluntary Prekindergarten Education Program a
3260 recipient or provider who the early learning coalition believes
3261 has committed fraud.

3262 (9) A person who commits an act of fraud as defined in
3263 this section is subject to the penalties provided in s.
3264 414.39(5) (a) and (b).

3265 Section 59. Subsections (1) and (2) and paragraph (a) of
3266 subsection (3) of section 1002.92, Florida Statutes, are amended
3267 to read:

3268 1002.92 Child care and early childhood resource and
3269 referral.—

3270 (1) As a part of the school readiness program, the
3271 department ~~office~~ shall establish a statewide child care
3272 resource and referral network that is unbiased and provides

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3273 referrals to families for child care and information on
3274 available community resources. Preference shall be given to
3275 using early learning coalitions as the child care resource and
3276 referral agencies. If an early learning coalition cannot comply
3277 with the requirements to offer the resource information
3278 component or does not want to offer that service, the early
3279 learning coalition shall select the resource and referral agency
3280 for its county or multicounty region based upon the procurement
3281 requirements of s. 1002.84(12).

3282 (2) At least one child care resource and referral agency
3283 must be established in each early learning coalition's county or
3284 multicounty region. The department ~~office~~ shall adopt rules
3285 regarding accessibility of child care resource and referral
3286 services offered through child care resource and referral
3287 agencies in each county or multicounty region which include, at
3288 a minimum, required hours of operation, methods by which parents
3289 may request services, and child care resource and referral staff
3290 training requirements.

3291 (3) Child care resource and referral agencies shall
3292 provide the following services:

3293 (a) Identification of existing public and private child
3294 care and early childhood education services, including child
3295 care services by public and private employers, and the
3296 development of a resource file of those services through the
3297 single statewide information system developed by the department

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3298 ~~office~~ under s. 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services
3299 may include family day care, public and private child care
3300 programs, the Voluntary Prekindergarten Education Program, Head
3301 Start, the school readiness program, special education programs
3302 for prekindergarten children with disabilities, services for
3303 children with developmental disabilities, full-time and part-
3304 time programs, before-school and after-school programs, vacation
3305 care programs, parent education, the temporary cash assistance
3306 program, and related family support services. The resource file
3307 shall include, but not be limited to:

- 3308 1. Type of program.
- 3309 2. Hours of service.
- 3310 3. Ages of children served.
- 3311 4. Number of children served.
- 3312 5. Program information.
- 3313 6. Fees and eligibility for services.
- 3314 7. Availability of transportation.

3315 Section 60. Subsection (1) of section 1002.93, Florida
3316 Statutes, is amended to read:

3317 1002.93 School readiness program transportation services.-

3318 (1) The department ~~office~~ may authorize an early learning
3319 coalition to establish school readiness program transportation
3320 services for children at risk of abuse or neglect who are
3321 participating in the school readiness program, pursuant to
3322 chapter 427. The early learning coalitions may contract for the

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3323 provision of transportation services as required by this
3324 section.

3325 Section 61. Subsection (2), paragraphs (b) and (c) of
3326 subsection (3), and subsection (4) of section 1002.94, Florida
3327 Statutes, are amended to read:

3328 1002.94 Child Care Executive Partnership Program.—

3329 (2) The Child Care Executive Partnership, staffed by the
3330 department office, shall consist of a representative of the
3331 Executive Office of the Governor and nine members of the
3332 corporate or child care community, appointed by the Governor.

3333 (a) Members shall serve for a period of 4 years, except
3334 that the representative of the Executive Office of the Governor
3335 shall serve at the pleasure of the Governor.

3336 (b) The Child Care Executive Partnership shall be chaired
3337 by a member chosen by a majority vote and shall meet at least
3338 quarterly and at other times upon the call of the chair. The
3339 Child Care Executive Partnership may use any method of
3340 telecommunications to conduct meetings, including establishing a
3341 quorum through telecommunications, only if the public is given
3342 proper notice of a telecommunications meeting and reasonable
3343 access to observe and, when appropriate, participate.

3344 (c) Members shall serve without compensation, but may be
3345 reimbursed for per diem and travel expenses in accordance with
3346 s. 112.061.

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3347 (d) The Child Care Executive Partnership shall have all
3348 the powers and authority, not explicitly prohibited by law,
3349 necessary to carry out and effectuate the purposes of this
3350 section, as well as the functions, duties, and responsibilities
3351 of the partnership, including, but not limited to, the
3352 following:

3353 1. Making recommendations concerning the implementation
3354 and coordination of the school readiness program.

3355 2. Soliciting, accepting, receiving, investing, and
3356 expending funds from public or private sources.

3357 3. Contracting with public or private entities as
3358 necessary.

3359 4. Approving an annual budget.

3360 5. Providing a report to the Governor, the Speaker of the
3361 House of Representatives, and the President of the Senate on or
3362 before December 1 of each year.

3363
3364 Notwithstanding this subsection, the corporate body politic
3365 previously established by prior law is the corporate body
3366 politic for purposes of this section and shall continue in
3367 existence. All member terms of the existing corporate body
3368 politic expire as of June 30, 2013, and new members shall be
3369 appointed beginning July 1, 2013, in accordance with this
3370 subsection.

3371 (3)

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3372 (b) To ensure a seamless service delivery and ease of
3373 access for families, the department ~~office~~ shall administer the
3374 child care purchasing pool funds.

3375 (c) The department ~~office~~, in conjunction with the Child
3376 Care Executive Partnership, shall develop procedures for
3377 disbursement of funds through the child care purchasing pools.
3378 In order to be considered for funding, an early learning
3379 coalition or the department ~~office~~ must commit to:

3380 1. Matching the state purchasing pool funds on a dollar-
3381 for-dollar basis.

3382 2. Expending only those public funds that are matched by
3383 employers, local government, and other matching contributors who
3384 contribute to the purchasing pool. Parents shall also pay a fee,
3385 which may not be less than the amount identified in the early
3386 learning coalition's school readiness program sliding fee scale.

3387 (4) The State Board of Education ~~office~~ may adopt any
3388 rules necessary for the implementation and administration of
3389 this section.

3390 Section 62. Section 1002.95, Florida Statutes, is amended
3391 to read:

3392 1002.95 Teacher Education and Compensation Helps (TEACH)
3393 scholarship program.—

3394 (1) The department ~~office~~ may contract for the
3395 administration of the Teacher Education and Compensation Helps
3396 (TEACH) scholarship program, which provides educational

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3397 scholarships to caregivers and administrators of early childhood
3398 programs, family day care homes, and large family child care
3399 homes. The goal of the program is to increase the education and
3400 training for caregivers, increase the compensation for child
3401 caregivers who complete the program requirements, and reduce the
3402 rate of participant turnover in the field of early childhood
3403 education.

3404 (2) The State Board of Education ~~office~~ shall adopt rules
3405 as necessary to administer this section.

3406 Section 63. Subsections (1) and (3) of section 1002.96,
3407 Florida Statutes, are amended to read:

3408 1002.96 Early Head Start collaboration grants.—

3409 (1) Contingent upon specific appropriation, the department
3410 ~~office~~ shall establish a program to award collaboration grants
3411 to assist local agencies in securing Early Head Start programs
3412 through Early Head Start program federal grants. The
3413 collaboration grants shall provide the required matching funds
3414 for public and private nonprofit agencies that have been
3415 approved for Early Head Start program federal grants.

3416 (3) The department ~~office~~ may adopt rules as necessary for
3417 the award of collaboration grants to competing agencies and the
3418 administration of the collaboration grants program under this
3419 section.

3420 Section 64. Subsection (1) and paragraph (g) of subsection
3421 (3) of section 1002.97, Florida Statutes, are amended to read:

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3422 1002.97 Records of children in the school readiness
3423 program.—

3424 (1) The individual records of children enrolled in the
3425 school readiness program provided under this part, held by an
3426 early learning coalition or the department ~~office~~, are
3427 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3428 of the State Constitution. For purposes of this section, records
3429 include assessment data, health data, records of teacher
3430 observations, and personal identifying information.

3431 (3) School readiness program records may be released to:

3432 (g) Parties to an interagency agreement among early
3433 learning coalitions, local governmental agencies, providers of
3434 the school readiness program, state agencies, and the department
3435 ~~office~~ for the purpose of implementing the school readiness
3436 program.

3437
3438 Agencies, organizations, or individuals that receive school
3439 readiness program records in order to carry out their official
3440 functions must protect the data in a manner that does not permit
3441 the personal identification of a child enrolled in a school
3442 readiness program and his or her parent by persons other than
3443 those authorized to receive the records.

3444 Section 65. Subsections (1) and (3) of section 1002.995,
3445 Florida Statutes, are amended to read:

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3446 1002.995 Early learning professional development standards
3447 and career pathways.—

3448 (1) The department ~~office~~ shall:

3449 (a) Develop early learning professional development
3450 training and course standards to be utilized for school
3451 readiness program providers.

3452 (b) Identify both formal and informal early learning
3453 career pathways with stackable credentials and certifications
3454 that allow early childhood teachers to access specialized
3455 professional development that:

3456 1. Strengthens knowledge and teaching practices.

3457 2. Aligns to established professional standards and core
3458 competencies.

3459 3. Provides a progression of attainable, competency-based
3460 stackable credentials and certifications.

3461 4. Improves outcomes for children to increase kindergarten
3462 readiness and early grade success.

3463 (3) The State Board of Education ~~office~~ shall adopt rules
3464 to administer this section.

3465 Section 66. Subsection (3) of section 1003.575, Florida
3466 Statutes, is amended to read:

3467 1003.575 Assistive technology devices; findings;
3468 interagency agreements.—Accessibility, utilization, and
3469 coordination of appropriate assistive technology devices and
3470 services are essential as a young person with disabilities moves

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3471 from early intervention to preschool, from preschool to school,
3472 from one school to another, from school to employment or
3473 independent living, and from school to home and community. If an
3474 individual education plan team makes a recommendation in
3475 accordance with State Board of Education rule for a student with
3476 a disability, as defined in s. 1003.01(3), to receive an
3477 assistive technology assessment, that assessment must be
3478 completed within 60 school days after the team's recommendation.
3479 To ensure that an assistive technology device issued to a young
3480 person as part of his or her individualized family support plan,
3481 individual support plan, individualized plan for employment, or
3482 individual education plan remains with the individual through
3483 such transitions, the following agencies shall enter into
3484 interagency agreements, as appropriate, to ensure the
3485 transaction of assistive technology devices:

3486 (3) The Voluntary Prekindergarten Education Program
3487 administered by the Department of Education ~~and the Office of~~
3488 ~~Early Learning.~~

3489
3490 Interagency agreements entered into pursuant to this section
3491 shall provide a framework for ensuring that young persons with
3492 disabilities and their families, educators, and employers are
3493 informed about the utilization and coordination of assistive
3494 technology devices and services that may assist in meeting
3495 transition needs, and shall establish a mechanism by which a

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3496 young person or his or her parent may request that an assistive
3497 technology device remain with the young person as he or she
3498 moves through the continuum from home to school to postschool.

3499 Section 67. Section 1007.01, Florida Statutes, is amended
3500 to read:

3501 1007.01 Articulation; legislative intent; purpose; role of
3502 the State Board of Education and the Board of Governors;
3503 Articulation Coordinating Committee.—

3504 (1) It is the intent of the Legislature to facilitate
3505 articulation and seamless integration of the Early Learning-20
3506 ~~K-20~~ education system by building, sustaining, and strengthening
3507 relationships among Early Learning-20 ~~K-20~~ public organizations,
3508 between public and private organizations, and between the
3509 education system as a whole and Florida's communities. The
3510 purpose of building, sustaining, and strengthening these
3511 relationships is to provide for the efficient and effective
3512 progression and transfer of students within the education system
3513 and to allow students to proceed toward their educational
3514 objectives as rapidly as their circumstances permit. The
3515 Legislature further intends that articulation policies and
3516 budget actions be implemented consistently in the practices of
3517 the Department of Education and postsecondary educational
3518 institutions and expressed in the collaborative policy efforts
3519 of the State Board of Education and the Board of Governors.

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3520 (2) To improve and facilitate articulation systemwide, the
3521 State Board of Education and the Board of Governors shall
3522 collaboratively establish and adopt policies with input from
3523 statewide K-20 advisory groups established by the Commissioner
3524 of Education and the Chancellor of the State University System
3525 and shall recommend the policies to the Legislature. The
3526 policies shall relate to:

3527 (a) The alignment between the exit requirements of one
3528 education system and the admissions requirements of another
3529 education system into which students typically transfer.

3530 (b) The identification of common courses, the level of
3531 courses, institutional participation in a statewide course
3532 numbering system, and the transferability of credits among such
3533 institutions.

3534 (c) Identification of courses that meet general education
3535 or common degree program prerequisite requirements at public
3536 postsecondary educational institutions.

3537 (d) Dual enrollment course equivalencies.

3538 (e) Articulation agreements.

3539 (3) The Commissioner of Education, in consultation with
3540 the Chancellor of the State University System, shall establish
3541 the Articulation Coordinating Committee, which shall make
3542 recommendations related to statewide articulation policies and
3543 issues regarding access, quality, and reporting of data
3544 maintained by the educational ~~K-20~~ data warehouse, established

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3545 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
3546 Coordination Council, the State Board of Education, and the
3547 Board of Governors. The committee shall consist of two members
3548 each representing the State University System, the Florida
3549 College System, public career and technical education, K-12
3550 education, and nonpublic postsecondary education and one member
3551 representing students. The chair shall be elected from the
3552 membership. The Office of K-20 Articulation shall provide
3553 administrative support for the committee. The committee shall:

3554 (a) Monitor the alignment between the exit requirements of
3555 one education system and the admissions requirements of another
3556 education system into which students typically transfer and make
3557 recommendations for improvement.

3558 (b) Propose guidelines for interinstitutional agreements
3559 between and among public schools, career and technical education
3560 centers, Florida College System institutions, state
3561 universities, and nonpublic postsecondary institutions.

3562 (c) Annually recommend dual enrollment course and high
3563 school subject area equivalencies for approval by the State
3564 Board of Education and the Board of Governors.

3565 (d) Annually review the statewide articulation agreement
3566 pursuant to s. 1007.23 and make recommendations for revisions.

3567 (e) Annually review the statewide course numbering system,
3568 the levels of courses, and the application of transfer credit
3569 requirements among public and nonpublic institutions

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3570 participating in the statewide course numbering system and
3571 identify instances of student transfer and admissions
3572 difficulties.

3573 (f) Annually publish a list of courses that meet common
3574 general education and common degree program prerequisite
3575 requirements at public postsecondary institutions identified
3576 pursuant to s. 1007.25.

3577 (g) Foster timely collection and reporting of statewide
3578 education data to improve the Early Learning-20 ~~K-20~~ education
3579 performance accountability system pursuant to ss. 1001.10 and
3580 1008.31, including, but not limited to, data quality,
3581 accessibility, and protection of student records.

3582 (h) Recommend roles and responsibilities of public
3583 education entities in interfacing with the single, statewide
3584 computer-assisted student advising system established pursuant
3585 to s. 1006.735.

3586 Section 68. Section 1008.2125, Florida Statutes, is
3587 created to read:

3588 1008.2125 Coordinated screening and progress monitoring
3589 program for students in the Voluntary Prekindergarten Education
3590 Program through grade 3.-

3591 (1) The primary purpose of the coordinated screening and
3592 progress monitoring program for students in the Voluntary
3593 Prekindergarten Education Program through grade 3 is to provide
3594 information on students' progress in mastering the appropriate

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3595 grade-level standards and to provide information on their
3596 progress to parents, teachers, and school and program
3597 administrators. Data shall be used by Voluntary Prekindergarten
3598 Education Program providers and school districts to improve
3599 instruction, by parents and teachers to guide learning
3600 objectives and provide timely and appropriate supports and
3601 interventions to students not meeting grade level expectations,
3602 and by the public to assess the cost benefit of the expenditure
3603 of taxpayer dollars. The coordinated screening and progress
3604 monitoring program must:

3605 (a) Assess the progress of students in the Voluntary
3606 Prekindergarten Education Program through grade 3 in meeting the
3607 appropriate expectations in early literacy and math skills and
3608 in English Language Arts and mathematics, as required by ss.
3609 1002.67(1) (a) and 1003.41.

3610 (b) Provide data for accountability of the Voluntary
3611 Prekindergarten Education Program, as required by s. 1002.68.

3612 (c) Provide baseline data to the department of each
3613 student's readiness for kindergarten, which must be based on
3614 each kindergarten students progress monitoring results within
3615 the first 30 days of enrollment in accordance with paragraph
3616 (2) (a). The methodology for determining a student's readiness
3617 for kindergarten shall be developed by the same contracted
3618 independent expert identified in s. 1002.68(4) (d).

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3619 (d) Identify the educational strengths and needs of
3620 students in the Voluntary Prekindergarten Education Program
3621 through grade 3.

3622 (e) Provide teachers with progress monitoring data to
3623 provide timely interventions and supports pursuant to s.
3624 1008.25(4).

3625 (f) Assess how well educational goals and curricular
3626 standards are met at the provider, school, district, and state
3627 levels.

3628 (g) Provide information to aid in the evaluation and
3629 development of educational programs and policies.

3630 (2) The Commissioner of Education shall design a
3631 statewide, standardized coordinated screening and progress
3632 monitoring program to assess early literacy and mathematics
3633 skills and the English Language Arts and mathematics standards
3634 established in ss. 1002.67(1)(a) and 1003.41, respectively. The
3635 coordinated screening and progress monitoring program must
3636 provide interval level and norm-referenced data that measures
3637 equivalent levels of growth; be a developmentally appropriate,
3638 valid, and reliable direct assessment; be able to capture data
3639 on students who may be performing below grade or developmental
3640 level; accurately measure the core content in the applicable
3641 grade level standards; document learning gains for the
3642 achievement of these standards; and provide teachers with
3643 progress monitoring supports and materials that enhance

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3644 differentiated instruction and parent communication.
3645 Participation in the coordinated screening and progress
3646 monitoring program is mandatory for all students in the
3647 Voluntary Prekindergarten Education Program and enrolled in a
3648 public school in kindergarten through grade 3. The coordinated
3649 screening and progress monitoring program shall be implemented
3650 beginning in the 2021-2022 school year, as follows:

3651 (a) The coordinated screening and progress monitoring
3652 program shall be administered within the first 30 days after
3653 enrollment, midyear, and within the last 30 days of the program
3654 or school year, in accordance with the rules adopted by the
3655 State Board of Education. The state board may adopt alternate
3656 timeframes to address nontraditional school year calendars or
3657 summer programs to ensure administration of the coordinated
3658 screening and progress monitoring program is administered a
3659 minimum of 3 times within a year or program.

3660 (b) The results of the coordinated screening and progress
3661 monitoring program shall be reported to the department, in
3662 accordance with the rules adopted by the state board, and
3663 maintained in the department's educational data warehouse.

3664 (3) The Commissioner of Education shall:

3665 (a) Develop a plan, in coordination with the Early Grade
3666 Success Advisory Committee, for implementing the coordinated
3667 screening and progress monitoring program in consideration of
3668 the timelines required for the completion of the review of the

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3669 Next Generation Sunshine State Standards and the Voluntary
3670 Prekindergarten Education Program standards.

3671 (b) Provide data, reports, and information as requested to
3672 the Early Grade Success Advisory Committee.

3673 (4) The Early Grade Success Advisory Committee, a
3674 committee as defined in s. 20.03, is created within the
3675 Department of Education to oversee the coordinated screening and
3676 progress monitoring program and, except as otherwise provided in
3677 this section, shall operate consistent with s. 20.052.

3678 (a) The committee shall be responsible for reviewing the
3679 implementation of, training for, and outcomes from the
3680 coordinated screening and progress monitoring program to provide
3681 recommendations to the department that supports grade 3 students
3682 reading at or above grade level. The committee, at a minimum,
3683 shall:

3684 1. Provide recommendations on the implementation of the
3685 coordinated screening and progress monitoring program, including
3686 reviewing any procurement solicitation documents and criteria
3687 before being published.

3688 2. Develop training plans and timelines for such training.

3689 3. Identify appropriate personnel, processes, and
3690 procedures required for the administration of the coordinated
3691 screening and progress monitoring program.

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3692 4. Provide input on the methodology for calculating a
3693 provider's or school's performance metric and the grading system
3694 under s. 1002.68.

3695 5. Work with the department's contracted independent
3696 expert to review the methodology for determining a child's
3697 kindergarten readiness.

3698 6. Review data on age-appropriate learning gains by grade
3699 level that a student would need to attain in order to
3700 demonstrate proficiency in reading by grade 3.

3701 7. Continually review anonymized data from the results of
3702 the coordinated screening and progress monitoring program for
3703 students in the Voluntary Prekindergarten Education Program
3704 through grade 3 to help inform recommendations to the department
3705 that support practices that will enable grade 3 students to read
3706 at or above grade level.

3707 (b) The committee shall be composed of 17 members who are
3708 residents of the state and appointed, as follows:

3709 1. Fifteen members appointed by the Commissioner of
3710 Education:

3711 a. One representative from the Department of Education.

3712 b. One parent of a child who is 4 to 9 years of age.

3713 c. One representative of an urban school district.

3714 d. One representative of a rural school district.

3715 e. One representative of an urban early learning
3716 coalition.

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- 3717 f. One representative of a rural early learning coalition.
- 3718 g. One representative of an early learning provider.
- 3719 h. One representative of a faith-based early learning
- 3720 provider.
- 3721 i. One representative who is a kindergarten teacher who
- 3722 has at least 5 years of teaching experience.
- 3723 j. One representative who is a second grade teacher with
- 3724 at least 5 years of teaching experience.
- 3725 k. One representative who is a school principal.
- 3726 l. Four representatives with subject matter expertise in
- 3727 early learning, early grade success, or child assessments. The
- 3728 four representatives with subject matter expertise may not be
- 3729 direct stakeholders within the early learning or public school
- 3730 systems or potential recipients of a contract resulting from the
- 3731 committee's recommendations.
- 3732 2. One senator who is appointed by and serves at the
- 3733 pleasure of the President of the Senate.
- 3734 3. One representative who is appointed by and serves at
- 3735 the pleasure of the Speaker of the House of Representatives.
- 3736 (5) The committee shall elect a chair and vice chair, one
- 3737 of whom must be a member who has subject matter expertise in
- 3738 early learning, early grade success, or child assessments, and
- 3739 one of whom must be a senator or representative. Members of the
- 3740 committee shall serve without compensation but are entitled to

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3741 reimbursement for per diem and travel expenses pursuant to s.
3742 112.061.

3743 (6) The committee must meet at least biannually and may
3744 meet by teleconference or other electronic means, if possible,
3745 to reduce costs.

3746 (7) A majority of the members constitutes a quorum.

3747 (8) The committee terminates on July 1, 2023.

3748 Section 69. Paragraphs (b) and (c) of subsection (5) of
3749 section 1008.25, Florida Statutes, are redesignated as
3750 paragraphs (c) and (d), respectively, paragraph (b) of
3751 subsection (6), subsection (7), and paragraph (a) of subsection
3752 (8) are amended, and a new paragraph (b) is added to subsection
3753 (5) of that section, to read:

3754 1008.25 Public school student progression; student
3755 support; reporting requirements.—

3756 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3757 (b) Any Voluntary Prekindergarten Education Program
3758 student who exhibits a substantial deficiency in early literacy
3759 in accordance with the standards under s. 1002.67(1)(a) and
3760 based upon the results of the administration of the final
3761 coordinated screening and progress monitoring under s. 1008.2125
3762 shall be referred to the local school district and may be
3763 eligible to receive intensive reading interventions before
3764 participating in kindergarten. Such intensive reading
3765 interventions shall be paid for using funds from the district's

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3766 research-based reading instruction allocation in accordance with
3767 s. 1011.62(9).

3768 (6) ELIMINATION OF SOCIAL PROMOTION.—

3769 (b) The district school board may only exempt students
3770 from mandatory retention, as provided in paragraph (5)(c)
3771 ~~(5)(b)~~, for good cause. A student who is promoted to grade 4
3772 with a good cause exemption shall be provided intensive reading
3773 instruction and intervention that include specialized diagnostic
3774 information and specific reading strategies to meet the needs of
3775 each student so promoted. The school district shall assist
3776 schools and teachers with the implementation of explicit,
3777 systematic, and multisensory reading instruction and
3778 intervention strategies for students promoted with a good cause
3779 exemption which research has shown to be successful in improving
3780 reading among students who have reading difficulties. Good cause
3781 exemptions are limited to the following:

3782 1. Limited English proficient students who have had less
3783 than 2 years of instruction in an English for Speakers of Other
3784 Languages program based on the initial date of entry into a
3785 school in the United States.

3786 2. Students with disabilities whose individual education
3787 plan indicates that participation in the statewide assessment
3788 program is not appropriate, consistent with the requirements of
3789 s. 1008.212.

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3790 3. Students who demonstrate an acceptable level of
3791 performance on an alternative standardized reading or English
3792 Language Arts assessment approved by the State Board of
3793 Education.

3794 4. A student who demonstrates through a student portfolio
3795 that he or she is performing at least at Level 2 on the
3796 statewide, standardized English Language Arts assessment.

3797 5. Students with disabilities who take the statewide,
3798 standardized English Language Arts assessment and who have an
3799 individual education plan or a Section 504 plan that reflects
3800 that the student has received intensive instruction in reading
3801 or English Language Arts for more than 2 years but still
3802 demonstrates a deficiency and was previously retained in
3803 kindergarten, grade 1, grade 2, or grade 3.

3804 6. Students who have received intensive reading
3805 intervention for 2 or more years but still demonstrate a
3806 deficiency in reading and who were previously retained in
3807 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
3808 years. A student may not be retained more than once in grade 3.

3809 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
3810 STUDENTS.—

3811 (a) Students retained under paragraph (5) (c) ~~(5) (b)~~ must
3812 be provided intensive interventions in reading to ameliorate the
3813 student's specific reading deficiency and prepare the student

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3814 for promotion to the next grade. These interventions must
3815 include:

3816 1. Evidence-based, explicit, systematic, and multisensory
3817 reading instruction in phonemic awareness, phonics, fluency,
3818 vocabulary, and comprehension and other strategies prescribed by
3819 the school district.

3820 2. Participation in the school district's summer reading
3821 camp, which must incorporate the instructional and intervention
3822 strategies under subparagraph 1.

3823 3. A minimum of 90 minutes of daily, uninterrupted reading
3824 instruction incorporating the instructional and intervention
3825 strategies under subparagraph 1. This instruction may include:

3826 a. Integration of content-rich texts in science and social
3827 studies within the 90-minute block.

3828 b. Small group instruction.

3829 c. Reduced teacher-student ratios.

3830 d. More frequent progress monitoring.

3831 e. Tutoring or mentoring.

3832 f. Transition classes containing 3rd and 4th grade
3833 students.

3834 g. Extended school day, week, or year.

3835 (b) Each school district shall:

3836 1. Provide written notification to the parent of a student
3837 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
3838 child has not met the proficiency level required for promotion

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3839 and the reasons the child is not eligible for a good cause
3840 exemption as provided in paragraph (6) (b). The notification must
3841 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
3842 description of proposed interventions and supports that will be
3843 provided to the child to remediate the identified areas of
3844 reading deficiency.

3845 2. Implement a policy for the midyear promotion of a
3846 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
3847 demonstrate that he or she is a successful and independent
3848 reader and performing at or above grade level in reading or,
3849 upon implementation of English Language Arts assessments,
3850 performing at or above grade level in English Language Arts.
3851 Tools that school districts may use in reevaluating a student
3852 retained may include subsequent assessments, alternative
3853 assessments, and portfolio reviews, in accordance with rules of
3854 the State Board of Education. Students promoted during the
3855 school year after November 1 must demonstrate proficiency levels
3856 in reading equivalent to the level necessary for the beginning
3857 of grade 4. The rules adopted by the State Board of Education
3858 must include standards that provide a reasonable expectation
3859 that the student's progress is sufficient to master appropriate
3860 grade 4 level reading skills.

3861 3. Provide students who are retained under paragraph
3862 (5) (c) ~~(5) (b)~~, including students participating in the school
3863 district's summer reading camp under subparagraph (a)2., with a

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3864 highly effective teacher as determined by the teacher's
3865 performance evaluation under s. 1012.34, and, beginning July 1,
3866 2020, the teacher must also be certified or endorsed in reading.

3867 4. Establish at each school, when applicable, an intensive
3868 reading acceleration course for any student retained in grade 3
3869 who was previously retained in kindergarten, grade 1, or grade
3870 2. The intensive reading acceleration course must provide the
3871 following:

3872 a. Uninterrupted reading instruction for the majority of
3873 student contact time each day and opportunities to master the
3874 grade 4 Next Generation Sunshine State Standards in other core
3875 subject areas through content-rich texts.

3876 b. Small group instruction.

3877 c. Reduced teacher-student ratios.

3878 d. The use of explicit, systematic, and multisensory
3879 reading interventions, including intensive language, phonics,
3880 and vocabulary instruction, and use of a speech-language
3881 therapist if necessary, that have proven results in accelerating
3882 student reading achievement within the same school year.

3883 e. A read-at-home plan.

3884 (8) ANNUAL REPORT.—

3885 (a) In addition to the requirements in paragraph (5) (c)
3886 ~~(5) (b)~~, each district school board must annually report to the
3887 parent of each student the progress of the student toward
3888 achieving state and district expectations for proficiency in

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3889 English Language Arts, science, social studies, and mathematics.
3890 The district school board must report to the parent the
3891 student's results on each statewide, standardized assessment.
3892 The evaluation of each student's progress must be based upon the
3893 student's classroom work, observations, tests, district and
3894 state assessments, response to intensive interventions provided
3895 under paragraph (5) (a), and other relevant information. Progress
3896 reporting must be provided to the parent in writing in a format
3897 adopted by the district school board.

3898 Section 70. Section 1008.31, Florida Statutes, is amended
3899 to read:

3900 1008.31 Florida's Early Learning-20 ~~K-20~~ education
3901 performance accountability system; legislative intent; mission,
3902 goals, and systemwide measures; data quality improvements.-

3903 (1) LEGISLATIVE INTENT.-It is the intent of the
3904 Legislature that:

3905 (a) The performance accountability system implemented to
3906 assess the effectiveness of Florida's seamless Early Learning-20
3907 ~~K-20~~ education delivery system provide answers to the following
3908 questions in relation to its mission and goals:

3909 1. What is the public receiving in return for funds it
3910 invests in education?

3911 2. How effectively is Florida's Early Learning-20 ~~K-20~~
3912 education system educating its students?

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3913 3. How effectively are the major delivery sectors
3914 promoting student achievement?

3915 4. How are individual schools and postsecondary education
3916 institutions performing their responsibility to educate their
3917 students as measured by how students are performing and how much
3918 they are learning?

3919 (b) The Early Learning-20 ~~K-20~~ education performance
3920 accountability system be established as a single, unified
3921 accountability system with multiple components, including, but
3922 not limited to, student performance in public schools and school
3923 and district grades.

3924 (c) The K-20 education performance accountability system
3925 comply with the requirements of the "No Child Left Behind Act of
3926 2001," Pub. L. No. 107-110, and the Individuals with
3927 Disabilities Education Act (IDEA).

3928 (d) The early learning accountability system comply with
3929 the requirements of part V and part VI of chapter 1002 and the
3930 requirements of the Child Care and Development Block Grant Trust
3931 Fund, pursuant to 45 C.F.R. parts 98 and 99.

3932 (e) ~~(d)~~ The State Board of Education and the Board of
3933 Governors of the State University System recommend to the
3934 Legislature systemwide performance standards; the Legislature
3935 establish systemwide performance measures and standards; and the
3936 systemwide measures and standards provide Floridians with
3937 information on what the public is receiving in return for the

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3938 funds it invests in education and how well the Early Learning-20
3939 ~~K-20~~ system educates its students.

3940 (f)1. ~~(e)1.~~ The State Board of Education establish
3941 performance measures and set performance standards for
3942 individual public schools and Florida College System
3943 institutions, with measures and standards based primarily on
3944 student achievement.

3945 2. The Board of Governors of the State University System
3946 establish performance measures and set performance standards for
3947 individual state universities, including actual completion
3948 rates.

3949 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

3950 (a) The mission of Florida's Early Learning-20 ~~K-20~~
3951 education system shall be to increase the proficiency of all
3952 students within one seamless, efficient system, by allowing them
3953 the opportunity to expand their knowledge and skills through
3954 learning opportunities and research valued by students, parents,
3955 and communities.

3956 (b) The process for establishing state and sector-specific
3957 standards and measures must be:

- 3958 1. Focused on student success.
- 3959 2. Addressable through policy and program changes.
- 3960 3. Efficient and of high quality.
- 3961 4. Measurable over time.
- 3962 5. Simple to explain and display to the public.

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3963 6. Aligned with other measures and other sectors to
3964 support a coordinated Early Learning-20 ~~K-20~~ education system.

3965 (c) The Department of Education shall maintain an
3966 accountability system that measures student progress toward the
3967 following goals:

3968 1. Highest student achievement, as indicated by evidence
3969 of student learning gains at all levels.

3970 2. Seamless articulation and maximum access, as measured
3971 by evidence of progression, readiness, and access by targeted
3972 groups of students identified by the Commissioner of Education.

3973 3. Skilled workforce and economic development, as measured
3974 by evidence of employment and earnings.

3975 4. Quality efficient services, as measured by evidence of
3976 return on investment.

3977 5. Other goals as identified by law or rule.

3978 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
3979 data required to implement education performance accountability
3980 measures in state and federal law, the Commissioner of Education
3981 shall initiate and maintain strategies to improve data quality
3982 and timeliness. The Board of Governors shall make available to
3983 the department all data within the State University Database
3984 System to be integrated into the educational ~~K-20~~ data
3985 warehouse. The commissioner shall have unlimited access to such
3986 data for the purposes of conducting studies, reporting annual
3987 and longitudinal student outcomes, and improving college

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3988 | readiness and articulation. All public educational institutions
3989 | shall annually provide data from the prior year to the
3990 | educational ~~K-20~~ data warehouse in a format based on data
3991 | elements identified by the commissioner.

3992 | (a) School districts and public postsecondary educational
3993 | institutions shall maintain information systems that will
3994 | provide the State Board of Education, the Board of Governors of
3995 | the State University System, and the Legislature with
3996 | information and reports necessary to address the specifications
3997 | of the accountability system. The level of comprehensiveness and
3998 | quality must be no less than that which was available as of June
3999 | 30, 2001.

4000 | (b) Colleges and universities eligible to participate in
4001 | the William L. Boyd, IV, Effective Access to Student Education
4002 | Grant Program shall annually report student-level data from the
4003 | prior year for each student who receives state funds in a format
4004 | prescribed by the Department of Education. At a minimum, data
4005 | from the prior year must include retention rates, transfer
4006 | rates, completion rates, graduation rates, employment and
4007 | placement rates, and earnings of graduates. By October 1 of each
4008 | year, the colleges and universities described in this paragraph
4009 | shall report the data to the department.

4010 | (c) The Commissioner of Education shall determine the
4011 | standards for the required data, monitor data quality, and
4012 | measure improvements. The commissioner shall report annually to

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4013 the State Board of Education, the Board of Governors of the
4014 State University System, the President of the Senate, and the
4015 Speaker of the House of Representatives data quality indicators
4016 and ratings for all school districts and public postsecondary
4017 educational institutions.

4018 (d) Before establishing any new reporting or data
4019 collection requirements, the commissioner shall use existing
4020 data being collected to reduce duplication and minimize
4021 paperwork.

4022 (4) RULES.—The State Board of Education shall adopt rules
4023 pursuant to ss. 120.536(1) and 120.54 to implement the
4024 provisions of this section relating to the educational ~~K-20~~ data
4025 warehouse.

4026 Section 71. Section 1008.32, Florida Statutes, is amended
4027 to read:

4028 1008.32 State Board of Education oversight enforcement
4029 authority.—The State Board of Education shall oversee the
4030 performance of early learning coalitions, district school
4031 boards, and Florida College System institution boards of
4032 trustees in enforcement of all laws and rules. District school
4033 boards and Florida College System institution boards of trustees
4034 shall be primarily responsible for compliance with law and state
4035 board rule.

4036 (1) In order to ensure compliance with law or state board
4037 rule, the State Board of Education shall have the authority to

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4038 request and receive information, data, and reports from early
4039 learning coalitions, school districts, and Florida College
4040 System institutions. Early Learning Coalition chief executive
4041 officers or executive directors, district school
4042 superintendents, and Florida College System institution
4043 presidents are responsible for the accuracy of the information
4044 and data reported to the state board.

4045 (2) (a) The Commissioner of Education may investigate
4046 allegations of noncompliance with law or state board rule and
4047 determine probable cause. The commissioner shall report
4048 determinations of probable cause to the State Board of Education
4049 which shall require the early learning coalition, district
4050 school board, or Florida College System institution board of
4051 trustees to document compliance with law or state board rule.

4052 (b) The Commissioner of Education shall report to the
4053 State Board of Education any findings by the Auditor General
4054 that an early learning coalition, a district school board, or
4055 Florida College System institution is acting without statutory
4056 authority or contrary to general law. The State Board of
4057 Education shall require the early learning coalition, district
4058 school board, or Florida College System institution board of
4059 trustees to document compliance with such law.

4060 (3) If the early learning coalition, district school
4061 board, or Florida College System institution board of trustees

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4062 cannot satisfactorily document compliance, the State Board of
4063 Education may order compliance within a specified timeframe.

4064 (4) If the State Board of Education determines that an
4065 early learning coalition, a district school board, or Florida
4066 College System institution board of trustees is unwilling or
4067 unable to comply with law or state board rule within the
4068 specified time, the state board shall have the authority to
4069 initiate any of the following actions:

4070 (a) Report to the Legislature that the early learning
4071 coalition, school district, or Florida College System
4072 institution is unwilling or unable to comply with law or state
4073 board rule and recommend action to be taken by the Legislature.

4074 (b) Withhold the transfer of state funds, discretionary
4075 grant funds, discretionary lottery funds, or any other funds
4076 specified as eligible for this purpose by the Legislature until
4077 the early learning coalition, school district, or Florida
4078 College System institution complies with the law or state board
4079 rule.

4080 (c) Declare the early learning coalition, school district,
4081 or Florida College System institution ineligible for competitive
4082 grants.

4083 (d) Require monthly or periodic reporting on the situation
4084 related to noncompliance until it is remedied.

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4085 (5) Nothing in this section shall be construed to create a
4086 private cause of action or create any rights for individuals or
4087 entities in addition to those provided elsewhere in law or rule.

4088 Section 72. Paragraph (a) of subsection (3) of section
4089 1008.33, Florida Statutes, is amended to read:

4090 1008.33 Authority to enforce public school improvement.—

4091 (3) (a) The academic performance of all students has a
4092 significant effect on the state school system. Pursuant to Art.
4093 IX of the State Constitution, which prescribes the duty of the
4094 State Board of Education to supervise Florida's public school
4095 system, the state board shall equitably enforce the
4096 accountability requirements of the state school system and may
4097 impose state requirements on school districts in order to
4098 improve the academic performance of all districts, schools, and
4099 students based upon the provisions of the Florida Early
4100 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal
4101 ESEA and its implementing regulations; and the ESEA flexibility
4102 waiver approved for Florida by the United States Secretary of
4103 Education.

4104 Section 73. Subsection (9) of section 1011.62, Florida
4105 Statutes, is amended to read:

4106 1011.62 Funds for operation of schools.—If the annual
4107 allocation from the Florida Education Finance Program to each
4108 district for operation of schools is not determined in the
4109 annual appropriations act or the substantive bill implementing

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4110 the annual appropriations act, it shall be determined as
4111 follows:

4112 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4113 (a) The research-based reading instruction allocation is
4114 created to provide comprehensive reading instruction to students
4115 in kindergarten through grade 12, including certain students who
4116 exhibit a substantial deficiency in early literacy and completed
4117 the Voluntary Prekindergarten Education Program pursuant to s.
4118 1008.25(5)(b). Each school district that has one or more of the
4119 300 lowest-performing elementary schools based on a 3-year
4120 average of the state reading assessment data must use the
4121 school's portion of the allocation to provide an additional hour
4122 per day of intensive reading instruction for the students in
4123 each school. The additional hour may be provided within the
4124 school day. Students enrolled in these schools who earned a
4125 level 4 or level 5 score on the statewide, standardized English
4126 Language Arts assessment for the previous school year may
4127 participate in the additional hour of instruction. Exceptional
4128 student education centers may not be included in the 300
4129 schools. The intensive reading instruction delivered in this
4130 additional hour shall include: research-based reading
4131 instruction that has been proven to accelerate progress of
4132 students exhibiting a reading deficiency; differentiated
4133 instruction based on screening, diagnostic, progress monitoring,
4134 or student assessment data to meet students' specific reading

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4135 needs; explicit and systematic reading strategies to develop
4136 phonemic awareness, phonics, fluency, vocabulary, and
4137 comprehension, with more extensive opportunities for guided
4138 practice, error correction, and feedback; and the integration of
4139 social studies, science, and mathematics-text reading, text
4140 discussion, and writing in response to reading.

4141 (b) Funds for comprehensive, research-based reading
4142 instruction shall be allocated annually to each school district
4143 in the amount provided in the General Appropriations Act. Each
4144 eligible school district shall receive the same minimum amount
4145 as specified in the General Appropriations Act, and any
4146 remaining funds shall be distributed to eligible school
4147 districts based on each school district's proportionate share of
4148 K-12 base funding.

4149 (c) Funds allocated under this subsection must be used to
4150 provide a system of comprehensive reading instruction to
4151 students enrolled in the K-12 programs and certain students who
4152 exhibit a substantial deficiency in early literacy and completed
4153 the Voluntary Prekindergarten Education Program pursuant to s.
4154 1008.25(5)(b), which may include the following:

4155 1. An additional hour per day of intensive reading
4156 instruction to students in the 300 lowest-performing elementary
4157 schools by teachers and reading specialists who have
4158 demonstrated effectiveness in teaching reading as required in
4159 paragraph (a).

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4160 2. Kindergarten through grade 5 reading intervention
4161 teachers to provide intensive intervention during the school day
4162 and in the required extra hour for students identified as having
4163 a reading deficiency.

4164 3. Highly qualified reading coaches to specifically
4165 support teachers in making instructional decisions based on
4166 student data, and improve teacher delivery of effective reading
4167 instruction, intervention, and reading in the content areas
4168 based on student need.

4169 4. Professional development for school district teachers
4170 in scientifically based reading instruction, including
4171 strategies to teach reading in content areas and with an
4172 emphasis on technical and informational text, to help school
4173 district teachers earn a certification or an endorsement in
4174 reading.

4175 5. Summer reading camps, using only teachers or other
4176 district personnel who are certified or endorsed in reading
4177 consistent with s. 1008.25(7)(b)3., for all students in
4178 kindergarten through grade 2 who demonstrate a reading
4179 deficiency as determined by district and state assessments, ~~and~~
4180 students in grades 3 through 5 who score at Level 1 on the
4181 statewide, standardized English Language Arts assessment, and
4182 certain students who exhibit a substantial deficiency in early
4183 literacy and completed the Voluntary Prekindergarten Education
4184 Program pursuant to s. 1008.25(5)(b).

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4185 6. Supplemental instructional materials that are grounded
4186 in scientifically based reading research as identified by the
4187 Just Read, Florida! Office pursuant to s. 1001.215(8).

4188 7. Intensive interventions for students in kindergarten
4189 through grade 12 who have been identified as having a reading
4190 deficiency or who are reading below grade level as determined by
4191 the statewide, standardized English Language Arts assessment or
4192 for certain students who exhibit a substantial deficiency in
4193 early literacy and completed the Voluntary Prekindergarten
4194 Education Program pursuant to s. 1008.25(5)(b).

4195 (d)1. Annually, by a date determined by the Department of
4196 Education but before May 1, school districts shall submit a ~~K-12~~
4197 comprehensive reading plan for the specific use of the research-
4198 based reading instruction allocation in the format prescribed by
4199 the department for review and approval by the Just Read,
4200 Florida! Office created pursuant to s. 1001.215. The plan
4201 annually submitted by school districts shall be deemed approved
4202 unless the department rejects the plan on or before June 1. If a
4203 school district and the Just Read, Florida! Office cannot reach
4204 agreement on the contents of the plan, the school district may
4205 appeal to the State Board of Education for resolution. School
4206 districts shall be allowed reasonable flexibility in designing
4207 their plans and shall be encouraged to offer reading
4208 intervention through innovative methods, including career
4209 academies. The plan format shall be developed with input from

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4210 school district personnel, including teachers and principals,
4211 and shall provide for intensive reading interventions through
4212 integrated curricula, provided that, beginning with the 2020-
4213 2021 school year, the interventions are delivered by a teacher
4214 who is certified or endorsed in reading. Such interventions must
4215 incorporate strategies identified by the Just Read, Florida!
4216 Office pursuant to s. 1001.215(8). No later than July 1
4217 annually, the department shall release the school district's
4218 allocation of appropriated funds to those districts having
4219 approved plans. A school district that spends 100 percent of
4220 this allocation on its approved plan shall be deemed to have
4221 been in compliance with the plan. The department may withhold
4222 funds upon a determination that reading instruction allocation
4223 funds are not being used to implement the approved plan. The
4224 department shall monitor and track the implementation of each
4225 district plan, including conducting site visits and collecting
4226 specific data on expenditures and reading improvement results.
4227 By February 1 of each year, the department shall report its
4228 findings to the Legislature.

4229 2. Each school district that has a school designated as
4230 one of the 300 lowest-performing elementary schools as specified
4231 in paragraph (a) shall specifically delineate in the
4232 comprehensive reading plan, or in an addendum to the
4233 comprehensive reading plan, the implementation design and
4234 reading intervention strategies that will be used for the

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4235 required additional hour of reading instruction. The term
4236 "reading intervention" includes evidence-based strategies
4237 frequently used to remediate reading deficiencies and also
4238 includes individual instruction, tutoring, mentoring, or the use
4239 of technology that targets specific reading skills and
4240 abilities.

4241 Section 74. This act shall take effect July 1, 2020.
4242

4243 -----
4244 **T I T L E A M E N D M E N T**

4245 Remove everything before the enacting clause and insert:

4246 A bill to be entitled

4247 An act relating to early learning and early grade
4248 success; amending s. 20.055, F.S.; conforming
4249 provisions to changes made by the act; amending s.
4250 20.15, F.S.; deleting the Office of Early Learning
4251 from within the Office of Independent Education and
4252 Parental Choice of the Department of Education;
4253 establishing the Division of Early Learning within the
4254 department; amending s. 39.202, F.S.; conforming
4255 provisions to changes made by the act; amending s.
4256 39.604, F.S.; revising approved child care or early
4257 education settings for the placement of certain
4258 children; conforming a cross-reference to changes made
4259 by the act; amending s. 212.08, F.S.; providing that

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4260 certain curricula are exempt from specified taxes;
4261 amending s. 216.136, F.S.; revising the duties of the
4262 Early Learning Programs Estimating Conference;
4263 requiring the department, rather than the Office of
4264 Early Learning, to provide specified information to
4265 the conference or its principals; amending ss. 383.14,
4266 391.308, and 402.26, F.S.; conforming provisions and
4267 cross-references to changes made by the act;
4268 transferring, renumbering, and amending s. 402.281,
4269 F.S.; revising the requirements of the Gold Seal
4270 Quality Care program; requiring the State Board of
4271 Education to adopt specified rules; revising
4272 accrediting association requirements; providing
4273 requirements for accrediting associations; requiring
4274 the department to adopt a specified process; providing
4275 requirements for such process; deleting a requirement
4276 for the department to consult certain entities for
4277 specified purposes; providing requirements for certain
4278 providers to maintain Gold Seal Quality Care status;
4279 providing exemptions to certain ad valorem taxes;
4280 providing rate differentials to certain providers;
4281 providing for a type two transfer of the Gold Seal
4282 Quality Care program in the Department of Children and
4283 Families to the Department of Education; providing for
4284 the continuation of certain contracts and interagency

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4285 | agreements; amending s. 402.305, F.S.; providing
4286 | requirements for minimum child care licensing
4287 | standards; requiring such standards adopted after a
4288 | specified date to be ratified by the Legislature;
4289 | revising requirements relating to staff trained in
4290 | cardiopulmonary resuscitation; amending s. 402.315,
4291 | F.S.; conforming a cross-reference to changes made by
4292 | the act; amending s. 402.56, F.S.; revising the
4293 | membership of the Children and Youth Cabinet; amending
4294 | ss. 411.226, 411.227, 414.295, 1000.01, 1000.02,
4295 | 1000.03, 1000.04, 1000.21, 1001.02, 1001.03, 1001.10,
4296 | and 1001.11, F.S.; conforming provisions and cross-
4297 | references to changes made by the act; repealing s.
4298 | 1001.213, F.S., relating to the Office of Early
4299 | Learning; amending ss. 1001.215, 1001.23, 1001.70,
4300 | 1001.706, 1002.22, 1002.32, 1002.34, and 1002.36 F.S.;
4301 | conforming provisions and cross-references to changes
4302 | made by the act; amending s. 1002.53, F.S.; requiring
4303 | students enrolled in the Voluntary Prekindergarten
4304 | Education Program to participate in a specified
4305 | screening and progress monitoring program; amending s.
4306 | 1002.55, F.S.; authorizing certain child development
4307 | programs operating on a military installment to be
4308 | private prekindergarten providers within the Voluntary
4309 | Prekindergarten Education Program; providing that a

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4310 private prekindergarten provider is ineligible for
4311 participation in the program under certain
4312 circumstances; revising requirements a prekindergarten
4313 instructor must meet; revising requirements for a
4314 specified courses for prekindergarten instructors;
4315 providing liability insurance requirements for child
4316 development programs operating on a military
4317 installment participating in the program; requiring
4318 early learning coalitions to verify private
4319 prekindergarten provider compliance with specified
4320 provisions; requiring such coalitions to remove a
4321 providers eligibility under specified circumstances;
4322 amending s. 1002.57, F.S.; revising the minimum
4323 standards for a credential for certain prekindergarten
4324 directors; amending s. 1002.59, F.S.; revising
4325 requirements for emergent literacy and performance
4326 standards training courses for prekindergarten
4327 instructors; requiring the department to make certain
4328 courses available; amending s. 1002.61, F.S.;

4329 authorizing certain child development programs
4330 operating on a military installment to be private
4331 prekindergarten providers within the summer Voluntary
4332 Prekindergarten Education Program; revising the
4333 criteria for a teacher to receive priority for the
4334 summer program in school district; requiring a child

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4335 development programs operating on a military
4336 installment to comply with specified criteria;
4337 requiring early learning coalitions to verify
4338 specified information; providing for the removal of a
4339 program provider from eligibility under certain
4340 circumstances; amending s. 1002.63, F.S.; requiring
4341 school districts to verify specified information;
4342 providing for the removal of public school program
4343 providers from the program under certain
4344 circumstances; amending s. 1002.67, F.S.; revising the
4345 performance standards for the Voluntary
4346 Prekindergarten Education Program; requiring the
4347 department to review and revise performance standards
4348 on a specified schedule; revising curriculum
4349 requirements for the program; requiring the department
4350 to adopt procedures for the review and approval of
4351 curricula for the program; deleting a required
4352 preassessment and postassessment for the program;
4353 creating s. 1002.68, F.S.; requiring providers of the
4354 Voluntary Prekindergarten Education Program to
4355 participate in a specified screening and progress
4356 monitoring program; providing specified uses for the
4357 results of such program; requiring certain portions of
4358 the screening and progress monitoring program to be
4359 administered by individuals who meet specified

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4360 criteria; requiring the results of specified
4361 assessments to be reported to the parents of
4362 participating students; providing requirements for
4363 such assessments; providing department duties and
4364 responsibilities relating to such assessments;
4365 providing requirements for a specified methodology
4366 used to calculate the results of such assessments;
4367 requiring the department to establish a grading system
4368 for program providers; providing for the adoption of a
4369 minimum performance metric or grade for program
4370 participation; providing procedures for a provider
4371 whose score or grade falls below the minimum
4372 requirement; providing for the revocation of program
4373 eligibility for a provider; authorizing the department
4374 to grant good cause exemptions to providers under
4375 certain circumstances; providing department and
4376 provider requirements for such exemptions; repealing
4377 s. 1002.69, F.S., relating to Statewide kindergarten
4378 screening and readiness rates; amending ss. 1002.71
4379 and 1002.72, F.S.; conforming provisions to changes
4380 made by the act; amending s. 1002.73, F.S.; requiring
4381 the department to adopt a statewide provider contract;
4382 requiring such contract to be published on the
4383 department's website; providing requirements for such
4384 contract; prohibiting providers from offering services

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4385 during an appeal of termination from the program;
4386 providing applicability; requiring the department to
4387 adopt specified procedures relating to the Voluntary
4388 Prekindergarten Education Program; providing duties of
4389 the department relating to such program; repealing s.
4390 1002.75, F.S., relating to the powers and duties of
4391 the Office of Early Learning; repealing s. 1002.77,
4392 F.S., relating to the Florida Early Learning Advisory
4393 Council; amending ss. 1002.79 and 1002.81, F.S.;
4394 conforming provisions and cross-references to changes
4395 made by the act; amending s. 1002.82, F.S.; providing
4396 duties of the department relating to early learning;
4397 exempting certain child development programs operating
4398 on a military installment from specified inspection
4399 requirements; requiring the department to monitor
4400 specified standards and benchmarks for certain
4401 purposes; requiring the department to provide
4402 specified technical support; revising requirements for
4403 a specified assessment program; requiring the
4404 department to adopt requirements to make certain
4405 contracted slots available to serve specified
4406 populations; requiring the department to adopt
4407 procedures for the merging of early learning
4408 coalitions; amending s. 1002.83, F.S.; revising the
4409 number of authorized early learning coalitions;

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4410 revising the number of and requirements for members of
4411 an early learning coalition; revising requirements for
4412 such coalitions; amending s. 1002.84, F.S.; revising
4413 early learning coalition responsibilities and duties;
4414 revising requirements for the waiver of specified
4415 copayments; amending s. 1002.85, F.S.; conforming
4416 provisions to changes made by the act; amending s.
4417 1002.88, F.S.; authorizing certain child development
4418 programs operating on military installations to
4419 participate in the school readiness program; revising
4420 requirements to deliver such program; providing that a
4421 specified annual inspection for a child development
4422 program participating in the school readiness program
4423 meets certain provider requirements; providing
4424 requirements for a child development program to meet
4425 certain liability requirements; amending ss. 1002.89,
4426 1002.895, 1002.91, 1002.92, 1002.93, and 1002.94,
4427 F.S.; conforming provisions and cross-references to
4428 changes made by the act; amending ss. 1002.95,
4429 1002.96, 1002.97, 1002.995, 1003.575, and 1007.01,
4430 F.S.; conforming provisions and cross-references to
4431 changes made by the act; creating s. 1008.2125, F.S.;
4432 creating the coordinated screening and progress
4433 monitoring program within the department for specified
4434 purposes; requiring the Commissioner of Education to

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4435 design such program; providing requirements for the
4436 administration of such program and the use of results
4437 from the program; providing requirements for the
4438 commissioner; creating the Early Grade Success
4439 Advisory Committee; providing duties of the committee;
4440 providing membership of the committee; requiring the
4441 committee to elect a chair and a vice chair; providing
4442 requirements for such appointments; providing for per
4443 diem for members of the committee; providing meeting
4444 requirements for the committee; providing for a quorum
4445 of the committee; amending s. 1008.25, F.S.;

4446 authorizing certain students who enrolled in the
4447 Voluntary Prekindergarten Education Program to receive
4448 intensive reading interventions using specified funds;
4449 amending ss. 1008.31, 1008.32, and 1008.33, F.S.;

4450 conforming provisions to changes made by the act;
4451 amending s. 1011.62, F.S.; revising the research-based
4452 reading instruction allocation to authorize the use of
4453 such funds for certain intensive reading interventions
4454 for certain students; providing an effective date.