

By Senator Harrell

25-01577A-20

20201688__

1 A bill to be entitled
2 An act relating to early learning and early grade
3 success; amending s. 20.055, F.S.; conforming
4 provisions to changes made by the act; amending s.
5 20.15, F.S.; adding the Division of Early Learning to
6 the divisions of the Department of Education; deleting
7 the Office of Early Learning from the Office of
8 Independent Education and Parental Choice of the
9 Department of Education; amending ss. 39.202 and
10 39.604, F.S.; conforming provisions and cross-
11 references to changes made by the act; amending s.
12 212.08, F.S.; providing that certain curricula are
13 exempt from specified taxes; amending s. 216.136,
14 F.S.; revising the duties of the Early Learning
15 Programs Estimating Conference; requiring the
16 department, rather than the Office of Early Learning,
17 to provide specified information to the conference;
18 amending ss. 383.14, 391.308, and 402.26, F.S.;
19 conforming provisions and cross-references to changes
20 made by the act; repealing s. 402.281, F.S., relating
21 to the Gold Seal Quality Care program; amending s.
22 402.305, F.S.; providing requirements for minimum
23 child care licensing standards; requiring standards
24 adopted after a specified date to be ratified by the
25 Legislature; revising requirements relating to staff
26 trained in cardiopulmonary resuscitation; amending s.
27 402.315, F.S.; conforming a cross-reference; amending
28 s. 402.56, F.S.; revising the membership of the
29 Children and Youth Cabinet; amending ss. 411.226,

25-01577A-20

20201688__

30 411.227, 414.295, 1000.01, 1000.02, 1000.03, 1000.04,
31 1000.21, 1001.02, 1001.03, 1001.10, and 1001.11, F.S.;
32 conforming provisions to changes made by the act;
33 repealing s. 1001.213, F.S., relating to the Office of
34 Early Learning; amending ss. 1001.215, 1001.23,
35 1001.70, 1002.32, 1002.34, and 1002.36, F.S.;
36 conforming provisions and cross-references to changes
37 made by the act; amending s. 1002.53, F.S.; requiring
38 students enrolled in the Voluntary Prekindergarten
39 Education Program to participate in a specified
40 screening and progress-monitoring program; amending s.
41 1002.55, F.S.; authorizing certain child development
42 programs operating on military installations to be
43 private prekindergarten providers within the Voluntary
44 Prekindergarten Education Program; providing that a
45 private prekindergarten provider is ineligible for
46 participation in the program under certain
47 circumstances; revising requirements a prekindergarten
48 instructor must meet; revising requirements for a
49 specified standards training course; providing
50 liability insurance requirements for child development
51 programs that operate on military installations and
52 participate in the program; requiring early learning
53 coalitions to verify private prekindergarten provider
54 compliance with specified provisions; requiring such
55 coalitions to remove a provider's eligibility under
56 specified circumstances; amending s. 1002.57, F.S.;
57 revising the minimum standards for a credential for
58 certain prekindergarten directors; amending s.

25-01577A-20

20201688__

59 1002.59, F.S.; revising requirements for emergent
60 literacy and performance standards training courses
61 for prekindergarten instructors; requiring the
62 department to make certain courses available; amending
63 s. 1002.61, F.S.; authorizing certain child
64 development programs operating on military
65 installations to be private prekindergarten providers
66 within the summer Voluntary Prekindergarten Education
67 Program; revising the criteria for teachers to receive
68 priority consideration from school districts in
69 staffing the summer program; requiring child
70 development programs operating on military
71 installations to comply with specified criteria;
72 requiring early learning coalitions to verify
73 specified information; providing for the removal of a
74 program provider from eligibility under certain
75 circumstances; amending s. 1002.63, F.S.; revoking the
76 eligibility of certain public schools to participate
77 in the program under certain circumstances; providing
78 for the removal of public school program providers
79 from the program under certain circumstances; amending
80 s. 1002.67, F.S.; revising the performance standards
81 for the Voluntary Prekindergarten Education Program;
82 requiring the department to review performance
83 standards on a specified schedule; providing
84 curriculum requirements for program providers;
85 requiring the State Board of Education to adopt rules
86 for the review and approval of curricula for the
87 program; deleting a required preassessment and

25-01577A-20

20201688__

88 postassessment for the program; creating s. 1002.68,
89 F.S.; requiring providers of the Voluntary
90 Prekindergarten Education Program to participate in a
91 specified screening and progress monitoring program;
92 providing specified uses for the results of such
93 screening and progress-monitoring program; requiring
94 certain portions of the screening and progress-
95 monitoring program to be administered by individuals
96 who meet specified criteria; requiring the results of
97 specified assessments to be reported to the parents of
98 participating students within a certain timeframe;
99 providing requirements for such assessments; providing
100 department duties and responsibilities relating to
101 such assessments; providing requirements for a
102 specified methodology used to calculate the results of
103 such assessments; requiring the department to
104 establish a grading system for program providers;
105 providing for the adoption of a minimum performance
106 metric or grade for program participation; providing
107 procedures for providers whose score or grade falls
108 below the minimum requirement; providing for the
109 revocation of program eligibility for certain
110 providers; authorizing the department to grant good
111 cause exemptions to providers under certain
112 circumstances; providing department and provider
113 requirements for such exemptions; repealing s.
114 1002.69, F.S., relating to statewide kindergarten
115 screening and readiness rates; amending ss. 1002.71
116 and 1002.72, F.S.; conforming provisions to changes

25-01577A-20

20201688__

117 made by the act; amending s. 1002.73, F.S.; requiring
118 the department to adopt a specified standard statewide
119 provider contract; requiring such contract to be
120 published on the department's website; providing
121 requirements for such contract; prohibiting providers
122 from offering services during an appeal of termination
123 from the program; providing applicability; requiring
124 the state board to adopt specified rules relating to
125 the Voluntary Prekindergarten Education Program;
126 revising duties of the department relating to the
127 program; repealing s. 1002.75, F.S., relating to the
128 powers and duties of the Office of Early Learning;
129 repealing s. 1002.77, F.S., relating to the Florida
130 Early Learning Advisory Council; amending ss. 1002.79
131 and 1002.81, F.S.; redefining a term; conforming
132 provisions and cross-references to changes made by the
133 act; amending s. 1002.82, F.S.; providing duties of
134 the department relating to early learning; exempting
135 certain child development programs operating on
136 military installations from specified inspection
137 requirements; requiring the department to monitor
138 specified standards and benchmarks for certain
139 purposes; requiring the department to provide
140 specified technical support; revising requirements for
141 a specified assessment program; requiring the
142 department to adopt requirements to make certain
143 contracted slots available to serve specified
144 populations by a specified date; requiring the state
145 board to adopt rules for merging early learning

25-01577A-20

20201688__

146 coalitions; amending s. 1002.83, F.S.; authorizing up
147 to 30 early learning coalitions rather than 31;
148 amending s. 1002.84, F.S.; revising early learning
149 coalition powers and duties; revising requirements for
150 the waiver of specified copayments; deleting a
151 provision relating to certain payment schedules;
152 revising requirements relating to certain contracts;
153 amending s. 1002.85, F.S.; conforming provisions to
154 changes made by the act; amending s. 1002.88, F.S.;
155 authorizing certain child development programs
156 operating on military installations to participate in
157 the school readiness program; revising requirements to
158 deliver services for the program; providing that a
159 specified annual inspection for child development
160 programs operating on military installations meets
161 certain provider requirements; providing a process for
162 child development programs operating on military
163 installations to meet certain liability requirements;
164 amending ss. 1002.89, 1002.895, 1002.91, 1002.92,
165 1002.93, and 1002.94, F.S.; conforming provisions and
166 cross-references to changes made by the act; creating
167 s. 1002.945, F.S.; establishing the Gold Seal Quality
168 Care Program within the department; providing for the
169 award of a Gold Seal Quality Care designation by
170 specified accrediting associations; requiring the
171 state board to adopt standards for the award of such
172 designation; providing accrediting association
173 requirements; providing requirements for maintaining
174 such designation; providing for an exemption from

25-01577A-20

20201688__

175 certain taxes for qualifying providers; providing for
176 certain child care facilities to receive a specified
177 rate differential; authorizing the Early Learning
178 Programs Estimating Conference to determine certain
179 rate differentials for certain school readiness
180 programs; requiring the state board to adopt rules;
181 amending ss. 1002.95, 1002.96, 1002.97, 1002.995,
182 1003.575, and 1007.01, F.S.; conforming provisions to
183 changes made by the act; creating s. 1008.2125, F.S.;

184 creating the coordinated screening and progress-
185 monitoring program within the department for specified
186 purposes; requiring the Commissioner of Education to
187 design the program; providing requirements for the
188 administration of the program beginning in a specified
189 school year; requiring results of the program to be
190 reported to and maintained by the department;

191 providing duties for the commissioner; creating the
192 Council for Early Grade Success; providing duties of
193 the council; providing membership of the council;
194 requiring the council to elect a chair and a vice
195 chair; providing for per diem for members of the
196 council; providing meeting requirements for the
197 council; providing for a quorum of the council;

198 amending s. 1008.25, F.S.; authorizing certain
199 students enrolled in the Voluntary Prekindergarten
200 Education Program to receive intensive reading
201 interventions using specified funds; amending ss.
202 1008.31, 1008.32, and 1008.33, F.S.; conforming
203 provisions to changes made by the act; amending s.

25-01577A-20

20201688__

204 1011.62, F.S.; revising the research-based reading
 205 instruction allocation to authorize the use of such
 206 funds for certain intensive reading interventions for
 207 students enrolled in the Voluntary Prekindergarten
 208 Education Program; amending ss. 1002.22 and 1002.53,
 209 F.S.; conforming cross-references; providing an
 210 effective date.

211

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

213

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

216 20.055 Agency inspectors general.—

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

218 (a) "Agency head" means the Governor, a Cabinet officer, or
 219 a secretary or executive director as those terms are defined in
 220 s. 20.03, the chair of the Public Service Commission, the
 221 Director of the Office of Insurance Regulation of the Financial
 222 Services Commission, the Director of the Office of Financial
 223 Regulation of the Financial Services Commission, the board of
 224 directors of the Florida Housing Finance Corporation, ~~the~~
 225 ~~executive director of the Office of Early Learning,~~ and the
 226 Chief Justice of the State Supreme Court.

227 (d) "State agency" means each department created pursuant
 228 to this chapter and the Executive Office of the Governor, the
 229 Department of Military Affairs, the Fish and Wildlife
 230 Conservation Commission, the Office of Insurance Regulation of
 231 the Financial Services Commission, the Office of Financial
 232 Regulation of the Financial Services Commission, the Public

25-01577A-20

20201688__

233 Service Commission, the Board of Governors of the State
234 University System, the Florida Housing Finance Corporation, ~~the~~
235 ~~Office of Early Learning,~~ and the state courts system.

236 Section 2. Present paragraphs (c) through (j) of subsection
237 (3) of section 20.15, Florida Statutes, are redesignated as
238 paragraphs (d) through (k), respectively, a new paragraph (c) is
239 added to subsection (3), and present paragraph (i) of subsection
240 (3) and subsection (5) of that section are amended, to read:

241 20.15 Department of Education.—There is created a
242 Department of Education.

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

245 (c) Division of Early Learning.

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

248 ~~1. The Office of Early Learning, which shall be~~
249 ~~administered by an executive director who is fully accountable~~
250 ~~to the Commissioner of Education. The executive director shall,~~
251 ~~pursuant to s. 1001.213, administer the early learning programs,~~
252 ~~including the school readiness program and the Voluntary~~
253 ~~Prekindergarten Education Program at the state level.~~

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

257 (5) POWERS AND DUTIES.—The State Board of Education and the
258 Commissioner of Education shall assign to the divisions such
259 powers, duties, responsibilities, and functions as are necessary
260 to ensure the greatest possible coordination, efficiency, and
261 effectiveness of education for students in Early Learning-20 K-

25-01577A-20

20201688__

262 ~~20~~ education under the jurisdiction of the State Board of
263 Education.

264 Section 3. Paragraph (a) of subsection (2) of section
265 39.202, Florida Statutes, is amended to read:

266 39.202 Confidentiality of reports and records in cases of
267 child abuse or neglect.—

268 (2) Except as provided in subsection (4), access to such
269 records, excluding the name of, or other identifying information
270 with respect to, the reporter which shall be released only as
271 provided in subsection (5), shall be granted only to the
272 following persons, officials, and agencies:

273 (a) Employees, authorized agents, or contract providers of
274 the department, the Department of Health, the Agency for Persons
275 with Disabilities, ~~the Office of Early Learning,~~ or county
276 agencies responsible for carrying out:

- 277 1. Child or adult protective investigations;
- 278 2. Ongoing child or adult protective services;
- 279 3. Early intervention and prevention services;
- 280 4. Healthy Start services;
- 281 5. Licensure or approval of adoptive homes, foster homes,
282 child care facilities, facilities licensed under chapter 393,
283 family day care homes, providers who receive school readiness
284 funding under part VI of chapter 1002, or other homes used to
285 provide for the care and welfare of children;
- 286 6. Employment screening for caregivers in residential group
287 homes; or
- 288 7. Services for victims of domestic violence when provided
289 by certified domestic violence centers working at the
290 department's request as case consultants or with shared clients.

25-01577A-20

20201688__

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292 Also, employees or agents of the Department of Juvenile Justice
293 responsible for the provision of services to children, pursuant
294 to chapters 984 and 985.

295 Section 4. Paragraph (b) of subsection (5) of section
296 39.604, Florida Statutes, is amended to read:

297 39.604 Rilya Wilson Act; short title; legislative intent;
298 child care; early education; preschool.—

299 (5) EDUCATIONAL STABILITY.—Just as educational stability is
300 important for school-age children, it is also important to
301 minimize disruptions to secure attachments and stable
302 relationships with supportive caregivers of children from birth
303 to school age and to ensure that these attachments are not
304 disrupted due to placement in out-of-home care or subsequent
305 changes in out-of-home placement.

306 (b) If it is not in the best interest of the child for him
307 or her to remain in his or her child care or early education
308 setting upon entry into out-of-home care, the caregiver must
309 work with the case manager, guardian ad litem, child care and
310 educational staff, and educational surrogate, if one has been
311 appointed, to determine the best setting for the child. Such
312 setting may be a child care provider that receives a Gold Seal
313 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
314 provider participating in a quality rating system, a licensed
315 child care provider, a public school provider, or a license-
316 exempt child care provider, including religious-exempt and
317 registered providers, and nonpublic schools.

318 Section 5. Paragraph (m) of subsection (5) of section
319 212.08, Florida Statutes, is amended to read:

25-01577A-20

20201688__

320 212.08 Sales, rental, use, consumption, distribution, and
321 storage tax; specified exemptions.—The sale at retail, the
322 rental, the use, the consumption, the distribution, and the
323 storage to be used or consumed in this state of the following
324 are hereby specifically exempt from the tax imposed by this
325 chapter.

326 (5) EXEMPTIONS; ACCOUNT OF USE.—

327 (m) *Educational materials purchased by certain child care*
328 *facilities.*—Educational materials, such as glue, paper, paints,
329 crayons, unique craft items, scissors, books, ~~and~~ educational
330 toys, and curricula, purchased by a child care facility that
331 meets the standards delineated in s. 402.305, is licensed under
332 s. 402.308, holds a current Gold Seal Quality Care designation
333 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
334 insurance to all employees are exempt from the taxes imposed by
335 this chapter. For purposes of this paragraph, the term “basic
336 health insurance” shall be defined and promulgated in rules
337 developed jointly by the Department of Education ~~Children and~~
338 ~~Families~~, the Agency for Health Care Administration, and the
339 Financial Services Commission.

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

342 216.136 Consensus estimating conferences; duties and
343 principals.—

344 (8) EARLY LEARNING PROGRAMS ESTIMATING CONFERENCE.—

345 (a) The Early Learning Programs Estimating Conference shall
346 develop estimates and forecasts by county of the unduplicated
347 count of children eligible for the school readiness program in
348 accordance with the standards of eligibility established in s.

25-01577A-20

20201688__

349 1002.87 and of children eligible for the Voluntary
350 Prekindergarten Education Program in accordance with s.
351 1002.53(2); review and verify the procedures and data used by
352 the Department of Education for the adoption of the market rate
353 schedule under s. 1002.895; determine base payment rates and the
354 application of legislatively approved differentials under part
355 VI of chapter 1002 by county, care level, and provider type that
356 ensure reasonable access to quality early learning settings in
357 each county and that shall be implemented by each early learning
358 coalition and used in any school readiness program funding
359 formula; verify all data sources and calculations used to
360 determine funding recommendations by county for the school
361 readiness program and the Voluntary Prekindergarten Education
362 Program before submission of any legislative budget request; and
363 meet at least biannually, ~~as the conference determines are~~
364 ~~needed~~ to support the state planning, budgeting, and
365 appropriations processes.

366 (b) The department ~~Office of Early Learning~~ shall provide
367 any reasonably related information for the conference or its
368 principals to be able to complete the duties listed in paragraph
369 (a) on needs and waiting lists for school readiness programs,
370 and ~~information on the needs for~~ the Voluntary Prekindergarten
371 Education Program, as requested by the Early Learning Programs
372 Estimating Conference or individual conference principals in a
373 timely manner.

374 Section 7. Paragraph (b) of subsection (1) and paragraph
375 (b) of subsection (2) of section 383.14, Florida Statutes, are
376 amended to read:

377 383.14 Screening for metabolic disorders, other hereditary

25-01577A-20

20201688__

378 and congenital disorders, and environmental risk factors.—

379 (1) SCREENING REQUIREMENTS.—To help ensure access to the
380 maternal and child health care system, the Department of Health
381 shall promote the screening of all newborns born in Florida for
382 metabolic, hereditary, and congenital disorders known to result
383 in significant impairment of health or intellect, as screening
384 programs accepted by current medical practice become available
385 and practical in the judgment of the department. The department
386 shall also promote the identification and screening of all
387 newborns in this state and their families for environmental risk
388 factors such as low income, poor education, maternal and family
389 stress, emotional instability, substance abuse, and other high-
390 risk conditions associated with increased risk of infant
391 mortality and morbidity to provide early intervention,
392 remediation, and prevention services, including, but not limited
393 to, parent support and training programs, home visitation, and
394 case management. Identification, perinatal screening, and
395 intervention efforts shall begin prior to and immediately
396 following the birth of the child by the attending health care
397 provider. Such efforts shall be conducted in hospitals,
398 perinatal centers, county health departments, school health
399 programs that provide prenatal care, and birthing centers, and
400 reported to the Office of Vital Statistics.

401 (b) *Postnatal screening*.—A risk factor analysis using the
402 department's designated risk assessment instrument shall also be
403 conducted as part of the medical screening process upon the
404 birth of a child and submitted to the department's Office of
405 Vital Statistics for recording and other purposes provided for
406 in this chapter. The department's screening process for risk

25-01577A-20

20201688__

407 assessment shall include a scoring mechanism and procedures that
408 establish thresholds for notification, further assessment,
409 referral, and eligibility for services by professionals or
410 paraprofessionals consistent with the level of risk. Procedures
411 for developing and using the screening instrument, notification,
412 referral, and care coordination services, reporting
413 requirements, management information, and maintenance of a
414 computer-driven registry in the Office of Vital Statistics which
415 ensures privacy safeguards must be consistent with the
416 provisions and plans established under chapter 411, Pub. L. No.
417 99-457, and this chapter. Procedures established for reporting
418 information and maintaining a confidential registry must include
419 a mechanism for a centralized information depository at the
420 state and county levels. The department shall coordinate with
421 existing risk assessment systems and information registries. The
422 department must ensure, to the maximum extent possible, that the
423 screening information registry is integrated with the
424 department's automated data systems, including the Florida On-
425 line Recipient Integrated Data Access (FLORIDA) system. Tests
426 and screenings must be performed by the State Public Health
427 Laboratory, in coordination with Children's Medical Services, at
428 such times and in such manner as is prescribed by the department
429 after consultation with the Genetics and Newborn Screening
430 Advisory Council and the Department of Education ~~Office of Early~~
431 ~~Learning~~.

432 (2) RULES.—

433 (b) After consultation with the Department of Education
434 ~~Office of Early Learning~~, the department shall adopt and enforce
435 rules requiring every newborn in this state to be screened for

25-01577A-20

20201688__

436 environmental risk factors that place children and their
437 families at risk for increased morbidity, mortality, and other
438 negative outcomes.

439 Section 8. Paragraph (h) of subsection (2) of section
440 391.308, Florida Statutes, is amended to read:

441 391.308 Early Steps Program.—The department shall implement
442 and administer part C of the federal Individuals with
443 Disabilities Education Act (IDEA), which shall be known as the
444 “Early Steps Program.”

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

446 (h) Promote interagency cooperation and coordination, with
447 the Medicaid program, the Department of Education program
448 pursuant to part B of the federal Individuals with Disabilities
449 Education Act, and programs providing child screening such as
450 the Florida Diagnostic and Learning Resources System, ~~the Office~~
451 ~~of Early Learning~~, Healthy Start, and the Help Me Grow program.

452 1. Coordination with the Medicaid program shall be
453 developed and maintained through written agreements with the
454 Agency for Health Care Administration and Medicaid managed care
455 organizations as well as through active and ongoing
456 communication with these organizations. The department shall
457 assist local program offices to negotiate agreements with
458 Medicaid managed care organizations in the service areas of the
459 local program offices. Such agreements may be formal or
460 informal.

461 2. Coordination with education programs pursuant to part B
462 of the federal Individuals with Disabilities Education Act shall
463 be developed and maintained through written agreements with the
464 Department of Education. The department shall assist local

25-01577A-20

20201688__

465 program offices to negotiate agreements with school districts in
466 the service areas of the local program offices.

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

469 402.26 Child care; legislative intent.—

470 (6) It is the intent of the Legislature that a child care
471 facility licensed pursuant to s. 402.305 or a child care
472 facility exempt from licensing pursuant to s. 402.316, that
473 achieves Gold Seal Quality status pursuant to s. 1002.945 ~~s.~~
474 ~~402.281~~, be considered an educational institution for the
475 purpose of qualifying for exemption from ad valorem tax pursuant
476 to s. 196.198.

477 Section 10. Section 402.281, Florida Statutes, is repealed.

478 Section 11. Paragraph (c) of subsection (1) and paragraph
479 (a) of subsection (7) of section 402.305, Florida Statutes, are
480 amended to read:

481 402.305 Licensing standards; child care facilities.—

482 (1) LICENSING STANDARDS.—The department shall establish
483 licensing standards that each licensed child care facility must
484 meet regardless of the origin or source of the fees used to
485 operate the facility or the type of children served by the
486 facility.

487 (c) The minimum standards for child care facilities shall
488 be adopted in the rules of the department and shall address the
489 areas delineated in this section. The department, in adopting
490 rules to establish minimum standards for child care facilities,
491 shall recognize that different age groups of children may
492 require different standards. The department may adopt different
493 minimum standards for facilities that serve children in

25-01577A-20

20201688__

494 different age groups, including school-age children. The
495 department shall also adopt by rule a definition for child care
496 which distinguishes between child care programs that require
497 child care licensure and after-school programs that do not
498 require licensure. Notwithstanding any other provision of law to
499 the contrary, minimum child care licensing standards shall be
500 developed to provide for reasonable, affordable, and safe
501 before-school and after-school care and may not exceed standards
502 expressly set forth in ss. 402.301-402.319. Licensing standards
503 adopted by the department on or after July 1, 2020, must be
504 ratified by the Legislature. After-school programs that
505 otherwise meet the criteria for exclusion from licensure may
506 provide snacks and meals through the federal Afterschool Meal
507 Program (AMP) administered by the Department of Health in
508 accordance with federal regulations and standards. The
509 Department of Health shall consider meals to be provided through
510 the AMP only if the program is actively participating in the
511 AMP, is in good standing with the department, and the meals meet
512 AMP requirements. Standards, at a minimum, shall allow for a
513 credentialed director to supervise multiple before-school and
514 after-school sites.

515 (7) SANITATION AND SAFETY.—

516 (a) Minimum standards shall include requirements for
517 sanitary and safety conditions, first aid treatment, emergency
518 procedures, and pediatric cardiopulmonary resuscitation. The
519 minimum standards shall require that ~~at least~~ one staff person
520 trained in cardiopulmonary resuscitation, as evidenced by
521 current documentation of course completion, must be present at
522 all times that children are present.

25-01577A-20

20201688__

523 Section 12. Subsection (5) of section 402.315, Florida
 524 Statutes, is amended to read:

525 402.315 Funding; license fees.—

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

531 Section 13. Paragraph (a) of subsection (4) of section
 532 402.56, Florida Statutes, is amended to read:

533 402.56 Children’s cabinet; organization; responsibilities;
 534 annual report.—

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

- 537 (a)1. The Secretary of Children and Families;
- 538 2. The Secretary of Juvenile Justice;
- 539 3. The director of the Agency for Persons with
- 540 Disabilities;
- 541 4. A representative from the Division ~~The director of the~~
- 542 ~~Office~~ of Early Learning;
- 543 5. The State Surgeon General;
- 544 6. The Secretary of Health Care Administration;
- 545 7. The Commissioner of Education;
- 546 8. The director of the Statewide Guardian Ad Litem Office;
- 547 9. A representative of the Office of Adoption and Child
- 548 Protection;
- 549 10. A superintendent of schools, appointed by the Governor;
- 550 and
- 551 11. Five members who represent children and youth advocacy

25-01577A-20

20201688__

552 organizations and who are not service providers, appointed by
553 the Governor.

554 Section 14. Paragraph (e) of subsection (2) of section
555 411.226, Florida Statutes, is amended to read:

556 411.226 Learning Gateway.—

557 (2) LEARNING GATEWAY STEERING COMMITTEE.—

558 (e) To support and facilitate system improvements, the
559 steering committee must consult with representatives from the
560 Department of Education, the Department of Health, ~~the Office of~~
561 ~~Early Learning~~, the Department of Children and Families, the
562 Agency for Health Care Administration, the Department of
563 Juvenile Justice, and the Department of Corrections and with the
564 director of the Learning Development and Evaluation Center of
565 Florida Agricultural and Mechanical University.

566 Section 15. Paragraph (d) of subsection (1), paragraph (a)
567 of subsection (2), and paragraph (c) of subsection (3) of
568 section 411.227, Florida Statutes, are amended to read:

569 411.227 Components of the Learning Gateway.—The Learning
570 Gateway system consists of the following components:

571 (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
572 ACCESS.—

573 (d) In collaboration with other local resources, the
574 demonstration projects shall develop public awareness strategies
575 to disseminate information about developmental milestones,
576 precursors of learning problems and other developmental delays,
577 and the service system that is available. The information should
578 target parents of children from birth through age 9 and should
579 be distributed to parents, health care providers, and caregivers
580 of children from birth through age 9. A variety of media should

25-01577A-20

20201688__

581 be used as appropriate, such as print, television, radio, and a
582 community-based Internet website, as well as opportunities such
583 as those presented by parent visits to physicians for well-child
584 checkups. The Learning Gateway Steering Committee shall provide
585 technical assistance to the local demonstration projects in
586 developing and distributing educational materials and
587 information.

588 1. Public awareness strategies targeting parents of
589 children from birth through age 5 shall be designed to provide
590 information to public and private preschool programs, child care
591 providers, pediatricians, parents, and local businesses and
592 organizations. These strategies should include information on
593 the school readiness performance standards adopted by the
594 Department of Education ~~Office of Early Learning~~.

595 2. Public awareness strategies targeting parents of
596 children from ages 6 through 9 must be designed to disseminate
597 training materials and brochures to parents and public and
598 private school personnel, and must be coordinated with the local
599 school board and the appropriate school advisory committees in
600 the demonstration projects. The materials should contain
601 information on state and district proficiency levels for grades
602 K-3.

603 (2) SCREENING AND DEVELOPMENTAL MONITORING.—

604 (a) In coordination with ~~the Office of Early Learning~~, the
605 Department of Education, and the Florida Pediatric Society, and
606 using information learned from the local demonstration projects,
607 the Learning Gateway Steering Committee shall establish
608 guidelines for screening children from birth through age 9. The
609 guidelines should incorporate recent research on the indicators

25-01577A-20

20201688__

610 most likely to predict early learning problems, mild
611 developmental delays, child-specific precursors of school
612 failure, and other related developmental indicators in the
613 domains of cognition; communication; attention; perception;
614 behavior; and social, emotional, sensory, and motor functioning.

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

616 (c) The steering committee, in cooperation with the
617 Department of Children and Families and, the Department of
618 Education, ~~and the Office of Early Learning~~, shall identify the
619 elements of an effective research-based curriculum for early
620 care and education programs.

621 Section 16. Subsection (1) of section 414.295, Florida
622 Statutes, is amended to read:

623 414.295 Temporary cash assistance programs; public records
624 exemption.—

625 (1) Personal identifying information of a temporary cash
626 assistance program participant, a participant's family, or a
627 participant's family or household member, except for information
628 identifying a parent who does not live in the same home as the
629 child, which is held by the department, ~~the Office of Early~~
630 ~~Learning~~, CareerSource Florida, Inc., the Department of Health,
631 the Department of Revenue, the Department of Education, or a
632 local workforce development board or local committee created
633 pursuant to s. 445.007 is confidential and exempt from s.
634 119.07(1) and s. 24(a), Art. I of the State Constitution. Such
635 confidential and exempt information may be released for purposes
636 directly connected with:

637 (a) The administration of the temporary assistance for
638 needy families plan under Title IV-A of the Social Security Act,

25-01577A-20

20201688__

639 as amended, by the department, ~~the Office of Early Learning,~~
640 CareerSource Florida, Inc., the Department of Military Affairs,
641 the Department of Health, the Department of Revenue, the
642 Department of Education, a local workforce development board or
643 local committee created pursuant to s. 445.007, or a school
644 district.

645 (b) The administration of the state's plan or program
646 approved under Title IV-B, Title IV-D, or Title IV-E of the
647 Social Security Act, as amended, or under Title I, Title X,
648 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
649 Social Security Act, as amended.

650 (c) An investigation, prosecution, or criminal, civil, or
651 administrative proceeding conducted in connection with the
652 administration of any of the plans or programs specified in
653 paragraph (a) or paragraph (b) by a federal, state, or local
654 governmental entity, upon request by that entity, if such
655 request is made pursuant to the proper exercise of that entity's
656 duties and responsibilities.

657 (d) The administration of any other state, federal, or
658 federally assisted program that provides assistance or services
659 on the basis of need, in cash or in kind, directly to a
660 participant.

661 (e) An audit or similar activity, such as a review of
662 expenditure reports or financial review, conducted in connection
663 with the administration of plans or programs specified in
664 paragraph (a) or paragraph (b) by a governmental entity
665 authorized by law to conduct such audit or activity.

666 (f) The administration of the reemployment assistance
667 program.

25-01577A-20

20201688__

668 (g) The reporting to the appropriate agency or official of
669 information about known or suspected instances of physical or
670 mental injury, sexual abuse or exploitation, or negligent
671 treatment or maltreatment of a child or elderly person receiving
672 assistance, if circumstances indicate that the health or welfare
673 of the child or elderly person is threatened.

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

676 Section 17. Section 1000.01, Florida Statutes, is amended
677 to read:

678 1000.01 The Florida Early Learning-20 ~~K-20~~ education
679 system; technical provisions.—

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

682 (2) LIBERAL CONSTRUCTION.—The provisions of the Florida
683 Early Learning-20 ~~K-20~~ Education Code shall be liberally
684 construed to the end that its objectives may be effected. It is
685 the legislative intent that if any section, subsection,
686 sentence, clause, or provision of the Florida Early Learning-20
687 ~~K-20~~ Education Code is held invalid, the remainder of the code
688 shall not be affected.

689 (3) PURPOSE.—The purpose of the Florida Early Learning-20
690 ~~K-20~~ Education Code is to provide by law for a state system of
691 schools, courses, classes, and educational institutions and
692 services adequate to allow, for all Florida's students, the
693 opportunity to obtain a high quality education. The Florida
694 Early Learning-20 ~~K-20~~ education system is established to
695 accomplish this purpose; however, nothing in this code shall be
696 construed to require the provision of free public education

25-01577A-20

20201688__

697 beyond grade 12.

698 (4) UNIFORM SYSTEM OF PUBLIC K-12 SCHOOLS INCLUDED.—As
699 required by s. 1, Art. IX of the State Constitution, the Florida
700 Early Learning-20 ~~K-20~~ education system shall include the
701 uniform system of free public K-12 schools. These public K-12
702 schools shall provide 13 consecutive years of instruction,
703 beginning with kindergarten, and shall also provide such
704 instruction for students with disabilities, gifted students,
705 limited English proficient students, and students in Department
706 of Juvenile Justice programs as may be required by law. The
707 funds for support and maintenance of the uniform system of free
708 public K-12 schools shall be derived from state, district,
709 federal, and other lawful sources or combinations of sources,
710 including any fees charged nonresidents as provided by law.

711 Section 18. Subsection (2) of section 1000.02, Florida
712 Statutes, is amended to read:

713 1000.02 Policy and guiding principles for the Florida K-20
714 education system.—

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

717 (a) A coordinated, seamless system for kindergarten through
718 graduate school education.

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

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

722 (d) A system that safeguards equity and supports academic
723 excellence.

724 (e) A system that provides for local operational
725 flexibility while promoting accountability for student

25-01577A-20

20201688__

726 achievement and improvement.

727 Section 19. Section 1000.03, Florida Statutes, is amended
728 to read:

729 1000.03 Function, mission, and goals of the Florida Early
730 Learning-20 ~~K-20~~ education system.—

731 (1) Florida's Early Learning-20 ~~K-20~~ education system shall
732 be a decentralized system without excess layers of bureaucracy.
733 Florida's Early Learning-20 ~~K-20~~ education system shall maintain
734 a systemwide technology plan based on a common set of data
735 definitions.

736 (2) (a) The Legislature shall establish education policy,
737 enact education laws, and appropriate and allocate education
738 resources.

739 (b) With the exception of matters relating to the State
740 University System, the State Board of Education shall oversee
741 the enforcement of all laws and rules, and the timely provision
742 of direction, resources, assistance, intervention when needed,
743 and strong incentives and disincentives to force accountability
744 for results.

745 (c) The Board of Governors shall oversee the enforcement of
746 all state university laws and rules and regulations and the
747 timely provision of direction, resources, assistance,
748 intervention when needed, and strong incentives and
749 disincentives to force accountability for results.

750 (3) Public education is a cooperative function of the state
751 and local educational authorities. The state retains
752 responsibility for establishing a system of public education
753 through laws, standards, and rules to assure efficient operation
754 of an Early Learning-20 ~~a K-20~~ system of public education and

25-01577A-20

20201688__

755 adequate educational opportunities for all individuals. Local
756 educational authorities have a duty to fully and faithfully
757 comply with state laws, standards, and rules and to efficiently
758 use the resources available to them to assist the state in
759 allowing adequate educational opportunities.

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

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

768 (a) *Learning and completion at all levels, including*
769 *increased high school graduation rate and readiness for*
770 *postsecondary education without remediation.*—All students
771 demonstrate increased learning and completion at all levels,
772 graduate from high school, and are prepared to enter
773 postsecondary education without remediation.

774 (b) *Student performance.*—Students demonstrate that they
775 meet the expected academic standards consistently at all levels
776 of their education.

777 (c) *Civic literacy.*—Students are prepared to become
778 civically engaged and knowledgeable adults who make positive
779 contributions to their communities.

780 (d) *Alignment of standards and resources.*—Academic
781 standards for every level of the Early Learning-20 ~~K-20~~
782 education system are aligned, and education financial resources
783 are aligned with student performance expectations at each level

25-01577A-20

20201688__

784 of the Early Learning-20 ~~K-20~~ education system.

785 (e) *Educational leadership.*—The quality of educational
786 leadership at all levels of Early Learning-20 ~~K-20~~ education is
787 improved.

788 (f) *Workforce education.*—Workforce education is
789 appropriately aligned with the skills required by the new global
790 economy.

791 (g) *Parental, student, family, educational institution, and*
792 *community involvement.*—Parents, students, families, educational
793 institutions, and communities are collaborative partners in
794 education, and each plays an important role in the success of
795 individual students. Therefore, the State of Florida cannot be
796 the guarantor of each individual student's success. The goals of
797 Florida's Early Learning-20 ~~K-20~~ education system are not
798 guarantees that each individual student will succeed or that
799 each individual school will perform at the level indicated in
800 the goals.

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

806 1. Career opportunities, educational requirements
807 associated with each career, educational institutions that
808 prepare students to enter each career, and student financial aid
809 available to pursue postsecondary instruction required to enter
810 each career.

811 2. How to make informed decisions about the program of
812 study that best addresses the students' interests and abilities

25-01577A-20

20201688__

813 while preparing them to enter postsecondary education or the
814 workforce.

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

817

818 This information shall be provided to students and parents
819 through websites, handbooks, manuals, or other regularly
820 provided communications.

821 Section 20. Section 1000.04, Florida Statutes, is amended
822 to read:

823 1000.04 Components for the delivery of public education
824 within the Florida Early Learning-20 ~~K-20~~ education system.—
825 Florida's Early Learning-20 ~~K-20~~ education system provides for
826 the delivery of early learning and public education through
827 publicly supported and controlled K-12 schools, Florida College
828 System institutions, state universities and other postsecondary
829 educational institutions, other educational institutions, and
830 other educational services as provided or authorized by the
831 Constitution and laws of the state.

832 (1) EARLY LEARNING.—Early learning includes the Voluntary
833 Prekindergarten Education Program and the school readiness
834 program.

835 (2) ~~(1)~~ PUBLIC K-12 SCHOOLS.—The public K-12 schools include
836 charter schools and consist of kindergarten classes; elementary,
837 middle, and high school grades and special classes; virtual
838 instruction programs; workforce education; career centers;
839 adult, part-time, and evening schools, courses, or classes, as
840 authorized by law to be operated under the control of district
841 school boards; and lab schools operated under the control of

25-01577A-20

20201688__

842 state universities.

843 (3)~~(2)~~ PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.—
844 Public postsecondary educational institutions include workforce
845 education; Florida College System institutions; state
846 universities; and all other state-supported postsecondary
847 educational institutions that are authorized and established by
848 law.

849 (4)~~(3)~~ FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.—The
850 Florida School for the Deaf and the Blind is a component of the
851 delivery of public education within Florida's Early Learning-20
852 ~~K-20~~ education system.

853 (5)~~(4)~~ THE FLORIDA VIRTUAL SCHOOL.—The Florida Virtual
854 School is a component of the delivery of public education within
855 Florida's Early Learning-20 ~~K-20~~ education system.

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

858 1000.21 Systemwide definitions.—As used in the Florida
859 Early Learning-20 ~~K-20~~ Education Code:

860 (1) "Articulation" is the systematic coordination that
861 provides the means by which students proceed toward their
862 educational objectives in as rapid and student-friendly manner
863 as their circumstances permit, from grade level to grade level,
864 from elementary to middle to high school, to and through
865 postsecondary education, and when transferring from one
866 educational institution or program to another.

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

868 (3) "Florida College System institution" except as
869 otherwise specifically provided, includes all of the following
870 public postsecondary educational institutions in the Florida

25-01577A-20

20201688__

871 College System and any branch campuses, centers, or other
872 affiliates of the institution:

873 (a) Eastern Florida State College, which serves Brevard
874 County.

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

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

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

880 (e) Daytona State College, which serves Flagler and Volusia
881 Counties.

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

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

886 (h) The College of the Florida Keys, which serves Monroe
887 County.

888 (i) Gulf Coast State College, which serves Bay, Franklin,
889 and Gulf Counties.

890 (j) Hillsborough Community College, which serves
891 Hillsborough County.

892 (k) Indian River State College, which serves Indian River,
893 Martin, Okeechobee, and St. Lucie Counties.

894 (l) Florida Gateway College, which serves Baker, Columbia,
895 Dixie, Gilchrist, and Union Counties.

896 (m) Lake-Sumter State College, which serves Lake and Sumter
897 Counties.

898 (n) State College of Florida, Manatee-Sarasota, which
899 serves Manatee and Sarasota Counties.

25-01577A-20

20201688__

- 900 (o) Miami Dade College, which serves Miami-Dade County.
- 901 (p) North Florida College, which serves Hamilton,
902 Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- 903 (q) Northwest Florida State College, which serves Okaloosa
904 and Walton Counties.
- 905 (r) Palm Beach State College, which serves Palm Beach
906 County.
- 907 (s) Pasco-Hernando State College, which serves Hernando and
908 Pasco Counties.
- 909 (t) Pensacola State College, which serves Escambia and
910 Santa Rosa Counties.
- 911 (u) Polk State College, which serves Polk County.
- 912 (v) St. Johns River State College, which serves Clay,
913 Putnam, and St. Johns Counties.
- 914 (w) St. Petersburg College, which serves Pinellas County.
- 915 (x) Santa Fe College, which serves Alachua and Bradford
916 Counties.
- 917 (y) Seminole State College of Florida, which serves
918 Seminole County.
- 919 (z) South Florida State College, which serves DeSoto,
920 Hardee, and Highlands Counties.
- 921 (aa) Tallahassee Community College, which serves Gadsden,
922 Leon, and Wakulla Counties.
- 923 (bb) Valencia College, which serves Orange and Osceola
924 Counties.
- 925 (4) "Department" is the Department of Education.
- 926 (5) "Parent" is either or both parents of a student, any
927 guardian of a student, any person in a parental relationship to
928 a student, or any person exercising supervisory authority over a

25-01577A-20

20201688__

929 student in place of the parent.

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

933 (a) The University of Florida.

934 (b) The Florida State University.

935 (c) The Florida Agricultural and Mechanical University.

936 (d) The University of South Florida.

937 (e) The Florida Atlantic University.

938 (f) The University of West Florida.

939 (g) The University of Central Florida.

940 (h) The University of North Florida.

941 (i) The Florida International University.

942 (j) The Florida Gulf Coast University.

943 (k) New College of Florida.

944 (l) The Florida Polytechnic University.

945 (7) "Next Generation Sunshine State Standards" means the
946 state's public K-12 curricular standards adopted under s.
947 1003.41.

948 (8) "Board of Governors" is the Board of Governors of the
949 State University System.

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

953 1001.02 General powers of State Board of Education.—

954 (1) The State Board of Education is the chief implementing
955 and coordinating body of public education in Florida except for
956 the State University System, and it shall focus on high-level
957 policy decisions. It has authority to adopt rules pursuant to

25-01577A-20

20201688__

958 ss. 120.536(1) and 120.54 to implement the provisions of law
959 conferring duties upon it for the improvement of the state
960 system of Early Learning-20 ~~K-20~~ public education except for the
961 State University System. Except as otherwise provided herein, it
962 may, as it finds appropriate, delegate its general powers to the
963 Commissioner of Education or the directors of the divisions of
964 the department.

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

966 (e) To adopt and submit to the Governor and Legislature, as
967 provided in s. 216.023, a coordinated Early Learning-20 ~~K-20~~
968 education budget that estimates the expenditure requirements for
969 the Board of Governors, as provided in s. 1001.706, the State
970 Board of Education, including the Department of Education and
971 the Commissioner of Education, and all of the boards,
972 institutions, agencies, and services under the general
973 supervision of the Board of Governors, as provided in s.
974 1001.706, or the State Board of Education for the ensuing fiscal
975 year. The State Board of Education may not amend the budget
976 request submitted by the Board of Governors. Any program
977 recommended by the Board of Governors or the State Board of
978 Education which will require increases in state funding for more
979 than 1 year must be presented in a multiyear budget plan.

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

983 Section 23. Subsections (8) and (9) of section 1001.03,
984 Florida Statutes, are amended to read:

985 1001.03 Specific powers of State Board of Education.—

986 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education

25-01577A-20

20201688__

987 shall enforce compliance with law and state board rule by all
988 school districts, early learning coalitions, and public
989 postsecondary educational institutions, except for the State
990 University System, in accordance with the provisions of s.
991 1008.32.

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

999 Section 24. Subsection (1), paragraphs (g), (k), and (l) of
1000 subsection (6), and subsection (8) of section 1001.10, Florida
1001 Statutes, are amended to read:

1002 1001.10 Commissioner of Education; general powers and
1003 duties.—

1004 (1) The Commissioner of Education is the chief educational
1005 officer of the state and the sole custodian of the Educational
1006 ~~K-20~~ data warehouse, and is responsible for giving full
1007 assistance to the State Board of Education in enforcing
1008 compliance with the mission and goals of the Early Learning ~~K-20~~
1009 education system, except for the State University System.

1010 (6) Additionally, the commissioner has the following
1011 general powers and duties:

1012 (g) To submit to the State Board of Education, on or before
1013 October 1 of each year, recommendations for a coordinated Early
1014 Learning-20 ~~K-20~~ education budget that estimates the
1015 expenditures for the Board of Governors, the State Board of

25-01577A-20

20201688__

1016 Education, including the Department of Education and the
1017 Commissioner of Education, and all of the boards, institutions,
1018 agencies, and services under the general supervision of the
1019 Board of Governors or the State Board of Education for the
1020 ensuing fiscal year. Any program recommended to the State Board
1021 of Education that will require increases in state funding for
1022 more than 1 year must be presented in a multiyear budget plan.

1023 (k) To prepare, publish, and disseminate user-friendly
1024 materials relating to the state's education system, including
1025 the state's K-12 scholarship programs, the school readiness
1026 program, and the Voluntary Prekindergarten Education Program.

1027 (l) To prepare and publish annually reports giving
1028 statistics and other useful information pertaining to the
1029 state's K-12 scholarship programs, the school readiness program,
1030 and the Voluntary Prekindergarten Education Program.

1031 (8) In the event of an emergency situation, the
1032 commissioner may coordinate through the most appropriate means
1033 of communication with early learning coalitions, local school
1034 districts, Florida College System institutions, and satellite
1035 offices of the Division of Blind Services and the Division of
1036 Vocational Rehabilitation to assess the need for resources and
1037 assistance to enable each school, institution, or satellite
1038 office the ability to reopen as soon as possible after
1039 considering the health, safety, and welfare of students and
1040 clients.

1041 Section 25. Paragraph (b) of subsection (1) and subsection
1042 (4) of section 1001.11, Florida Statutes, are amended to read:

1043 1001.11 Commissioner of Education; other duties.—

1044 (1) The Commissioner of Education must independently

25-01577A-20

20201688__

1045 perform the following duties:

1046 (b) Serve as the primary source of information to the
1047 Legislature, including the President of the Senate and the
1048 Speaker of the House of Representatives, concerning the State
1049 Board of Education, the Early Learning-20 ~~K-20~~ education system,
1050 and early learning programs.

1051 (4) The commissioner shall develop and implement an
1052 integrated Early Learning-20 ~~K-20~~ information system for
1053 educational management in accordance with the requirements of
1054 chapter 1008.

1055 Section 26. Section 1001.213, Florida Statutes, is
1056 repealed.

1057 Section 27. Subsection (7) of section 1001.215, Florida
1058 Statutes, is amended to read:

1059 1001.215 Just Read, Florida! Office.—There is created in
1060 the Department of Education the Just Read, Florida! Office. The
1061 office is fully accountable to the Commissioner of Education and
1062 shall:

1063 (7) Review, evaluate, and provide technical assistance to
1064 school districts' implementation of the ~~K-12~~ comprehensive
1065 reading plan required in s. 1011.62(9).

1066 Section 28. Subsection (1) of section 1001.23, Florida
1067 Statutes, is amended to read:

1068 1001.23 Specific powers and duties of the Department of
1069 Education.—In addition to all other duties assigned to it by law
1070 or by rule of the State Board of Education, the department
1071 shall:

1072 ~~(1) Adopt the statewide kindergarten screening in~~
1073 ~~accordance with s. 1002.69.~~

25-01577A-20

20201688__

1074 Section 29. Subsection (3) of section 1001.70, Florida
1075 Statutes, is amended to read:

1076 1001.70 Board of Governors of the State University System.—

1077 (3) The Board of Governors, in exercising its authority
1078 under the State Constitution and statutes, shall exercise its
1079 authority in a manner that supports, promotes, and enhances an
1080 Early Learning-20 ~~a K-20~~ education system that provides
1081 affordable access to postsecondary educational opportunities for
1082 residents of the state to the extent authorized by the State
1083 Constitution and state law.

1084 Section 30. Subsections (3) and (10) of section 1002.32,
1085 Florida Statutes, are amended to read:

1086 1002.32 Developmental research (laboratory) schools.—

1087 (3) MISSION.—The mission of a lab school shall be the
1088 provision of a vehicle for the conduct of research,
1089 demonstration, and evaluation regarding management, teaching,
1090 and learning. Programs to achieve the mission of a lab school
1091 shall embody the goals and standards established pursuant to ss.
1092 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
1093 appropriate education for its students.

1094 (a) Each lab school shall emphasize mathematics, science,
1095 computer science, and foreign languages. The primary goal of a
1096 lab school is to enhance instruction and research in such
1097 specialized subjects by using the resources available on a state
1098 university campus, while also providing an education in
1099 nonspecialized subjects. Each lab school shall provide
1100 sequential elementary and secondary instruction where
1101 appropriate. A lab school may not provide instruction at grade
1102 levels higher than grade 12 without authorization from the State

25-01577A-20

20201688__

1103 Board of Education. Each lab school shall develop and implement
1104 a school improvement plan pursuant to s. 1003.02(3).

1105 (b) Research, demonstration, and evaluation conducted at a
1106 lab school may be generated by the college of education and
1107 other colleges within the university with which the school is
1108 affiliated.

1109 (c) Research, demonstration, and evaluation conducted at a
1110 lab school may be generated by the State Board of Education.
1111 Such research shall respond to the needs of the education
1112 community at large, rather than the specific needs of the
1113 affiliated college.

1114 (d) Research, demonstration, and evaluation conducted at a
1115 lab school may consist of pilot projects to be generated by the
1116 affiliated college, the State Board of Education, or the
1117 Legislature.

1118 (e) The exceptional education programs offered at a lab
1119 school shall be determined by the research and evaluation goals
1120 and the availability of students for efficiently sized programs.
1121 The fact that a lab school offers an exceptional education
1122 program in no way lessens the general responsibility of the
1123 local school district to provide exceptional education programs.

1124 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
1125 and facilitate the mission of the lab schools, in addition to
1126 the exceptions to law specified in s. 1001.23(1) ~~s. 1001.23(2)~~,
1127 the following exceptions shall be permitted for lab schools:

1128 (a) The methods and requirements of the following statutes
1129 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
1130 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
1131 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;

25-01577A-20

20201688__

1132 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
 1133 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
 1134 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
 1135 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
 1136 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
 1137 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);
 1138 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
 1139 1011.73; and 1011.74.

1140 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
 1141 be held in abeyance. Reference to district school boards in s.
 1142 1001.42(18) shall mean the president of the university or the
 1143 president's designee.

1144 Section 31. Paragraph (b) of subsection (10) of section
 1145 1002.34, Florida Statutes, is amended to read:

1146 1002.34 Charter technical career centers.—

1147 (10) EXEMPTION FROM STATUTES.—

1148 (b) A center must comply with the Florida Early Learning-20
 1149 ~~K-20~~ Education Code with respect to providing services to
 1150 students with disabilities.

1151 Section 32. Subsection (1) of section 1002.36, Florida
 1152 Statutes, is amended to read:

1153 1002.36 Florida School for the Deaf and the Blind.—

1154 (1) RESPONSIBILITIES.—The Florida School for the Deaf and
 1155 the Blind, located in St. Johns County, is a state-supported
 1156 residential public school for hearing-impaired and visually
 1157 impaired students in preschool through 12th grade. The school is
 1158 a component of the delivery of public education within Florida's
 1159 Early Learning-20 ~~K-20~~ education system and shall be funded
 1160 through the Department of Education. The school shall provide

25-01577A-20

20201688__

1161 educational programs and support services appropriate to meet
1162 the education and related evaluation and counseling needs of
1163 hearing-impaired and visually impaired students in the state who
1164 meet enrollment criteria. Unless otherwise provided by law, the
1165 school shall comply with all laws and rules applicable to state
1166 agencies. Education services may be provided on an outreach
1167 basis for sensory-impaired children ages 0 through 5 years and
1168 to district school boards upon request. Graduates of the Florida
1169 School for the Deaf and the Blind shall be eligible for the
1170 William L. Boyd, IV, Effective Access to Student Education Grant
1171 Program as provided in s. 1009.89.

1172 Section 33. Paragraph (b) of subsection (4) and subsection
1173 (5) of section 1002.53, Florida Statutes, are amended, and
1174 paragraph (d) is added to subsection (6), to read:

1175 1002.53 Voluntary Prekindergarten Education Program;
1176 eligibility and enrollment.—

1177 (4)

1178 (b) The application must be submitted on forms prescribed
1179 by the department ~~Office of Early Learning~~ and must be
1180 accompanied by a certified copy of the child's birth
1181 certificate. The forms must include a certification, in
1182 substantially the form provided in s. 1002.71(6)(b)2., that the
1183 parent chooses the private prekindergarten provider or public
1184 school in accordance with this section and directs that payments
1185 for the program be made to the provider or school. The
1186 department ~~Office of Early Learning~~ may authorize alternative
1187 methods for submitting proof of the child's age in lieu of a
1188 certified copy of the child's birth certificate.

1189 (5) The early learning coalition shall provide each parent

25-01577A-20

20201688__

1190 enrolling a child in the Voluntary Prekindergarten Education
1191 Program with a profile of every private prekindergarten provider
1192 and public school delivering the program within the county where
1193 the child is being enrolled. The profiles shall be provided to
1194 parents in a format prescribed by the department ~~Office of Early~~
1195 ~~Learning~~. The profiles must include, at a minimum, the following
1196 information about each provider and school:

1197 (a) The provider's or school's services, curriculum,
1198 instructor credentials, and instructor-to-student ratio; and

1199 (b) The provider's or school's kindergarten readiness rate
1200 ~~calculated in accordance with s. 1002.69~~, based upon the most
1201 recent available results of the statewide kindergarten screening
1202 or, when available, the performance metric in accordance with s.
1203 1002.68.

1204 (6)

1205 (d) Each parent who enrolls his or her child in the
1206 Voluntary Prekindergarten Education Program must allow his or
1207 her child to participate in the coordinated screening and
1208 progress-monitoring program under s. 1008.2125.

1209 Section 34. Paragraphs (a), (b), (c), (e), (g), (h), (i),
1210 (j), and (l) of subsection (3), subsection (4), and paragraph
1211 (b) of subsection (5) of section 1002.55, Florida Statutes, are
1212 amended, and subsection (6) is added to that section, to read:

1213 1002.55 School-year prekindergarten program delivered by
1214 private prekindergarten providers.—

1215 (3) To be eligible to deliver the prekindergarten program,
1216 a private prekindergarten provider must meet each of the
1217 following requirements:

1218 (a) The private prekindergarten provider must be a child

25-01577A-20

20201688__

1219 care facility licensed under s. 402.305, family day care home
1220 licensed under s. 402.313, large family child care home licensed
1221 under s. 402.3131, nonpublic school exempt from licensure under
1222 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
1223 licensure under s. 402.316, child development program that is
1224 operating on a military installation that is certified by the
1225 United States Department of Defense and accredited by a national
1226 accrediting body, or a private prekindergarten provider who has
1227 been issued a provisional license pursuant to s. 402.309. A
1228 private prekindergarten provider may not deliver the program
1229 while its license has been converted to a probation-status
1230 license pursuant to s. 402.310.

1231 (b) The private prekindergarten provider must:

1232 1. Be accredited by an accrediting association that is a
1233 member of the National Council for Private School Accreditation,
1234 or the Florida Association of Academic Nonpublic Schools, or be
1235 accredited by the Southern Association of Colleges and Schools,
1236 or Western Association of Colleges and Schools, or North Central
1237 Association of Colleges and Schools, or Middle States
1238 Association of Colleges and Schools, or New England Association
1239 of Colleges and Schools; and have written accreditation
1240 standards that meet or exceed the state's licensing requirements
1241 under s. 402.305, s. 402.313, or s. 402.3131 and require at
1242 least one onsite visit to the provider or school before
1243 accreditation is granted;

1244 2. Hold a current Gold Seal Quality Care designation under
1245 s. 1002.945 ~~s. 402.281~~; or

1246 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
1247 and demonstrate, before delivering the Voluntary Prekindergarten

25-01577A-20

20201688__

1248 Education Program, as verified by the early learning coalition,
1249 that the provider meets each of the requirements of the program
1250 under this part, including, but not limited to, the requirements
1251 for credentials and background screenings of prekindergarten
1252 instructors under paragraphs (c) and (d), minimum and maximum
1253 class sizes under paragraph (f), prekindergarten director
1254 credentials under paragraph (g), and a developmentally
1255 appropriate curriculum under s. 1002.67(2)(b).

1256 (c) The private prekindergarten provider must have, for
1257 each prekindergarten class of 11 children or fewer, at least one
1258 prekindergarten instructor who meets each of the following
1259 requirements:

1260 1. The prekindergarten instructor must hold, at a minimum,
1261 one of the following credentials:

1262 a. A child development associate credential issued by the
1263 National Credentialing Program of the Council for Professional
1264 Recognition; or

1265 b. A credential approved by the Department of Children and
1266 Families as being equivalent to or greater than the credential
1267 described in sub-subparagraph a.

1268
1269 The Department of Children and Families may adopt rules under
1270 ss. 120.536(1) and 120.54 which provide criteria and procedures
1271 for approving equivalent credentials under sub-subparagraph b.

1272 2. The prekindergarten instructor must successfully
1273 complete at least three ~~an~~ emergent literacy training courses
1274 ~~course~~ and a student performance standards training course
1275 approved by the department ~~office~~ as meeting or exceeding the
1276 minimum standards adopted under s. 1002.59. The requirement for

25-01577A-20

20201688__

1277 completion of the standards training course shall take effect
1278 July 1, 2021 ~~2014~~, and the course shall be free or at a low cost
1279 and available online or in person.

1280 (e) A private prekindergarten provider may assign a
1281 substitute instructor to temporarily replace a credentialed
1282 instructor if the credentialed instructor assigned to a
1283 prekindergarten class is absent, as long as the substitute
1284 instructor is of good moral character and has been screened
1285 before employment in accordance with level 2 background
1286 screening requirements in chapter 435. The department ~~Office of~~
1287 ~~Early Learning~~ shall adopt rules to implement this paragraph
1288 which shall include required qualifications of substitute
1289 instructors and the circumstances and time limits for which a
1290 private prekindergarten provider may assign a substitute
1291 instructor.

1292 (g) The private prekindergarten provider must have a
1293 prekindergarten director who has a prekindergarten director
1294 credential that is approved by the department ~~office~~ as meeting
1295 or exceeding the minimum standards adopted under s. 1002.57.
1296 ~~Successful completion of a child care facility director~~
1297 ~~credential under s. 402.305(2)(g) before the establishment of~~
1298 ~~the prekindergarten director credential under s. 1002.57 or July~~
1299 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
1300 ~~prekindergarten director credential under this paragraph.~~

1301 (h) The private prekindergarten provider must register with
1302 the early learning coalition on forms prescribed by the
1303 department ~~Office of Early Learning~~.

1304 (i) The private prekindergarten provider must execute the
1305 statewide provider contract prescribed under s. 1002.73 ~~s.~~

25-01577A-20

20201688__

1306 ~~1002.75~~, except that an individual who owns or operates multiple
1307 private prekindergarten providers within a coalition's service
1308 area may execute a single agreement with the coalition on behalf
1309 of each provider.

1310 (j) The private prekindergarten provider must maintain
1311 general liability insurance and provide the coalition with
1312 written evidence of general liability insurance coverage,
1313 including coverage for transportation of children if
1314 prekindergarten students are transported by the provider. A
1315 provider must obtain and retain an insurance policy that
1316 provides a minimum of \$100,000 of coverage per occurrence and a
1317 minimum of \$300,000 general aggregate coverage. The department
1318 ~~office~~ may authorize lower limits upon request, as appropriate.
1319 A provider must add the coalition as a named certificateholder
1320 and as an additional insured. A provider must provide the
1321 coalition with a minimum of 10 calendar days' advance written
1322 notice of cancellation of or changes to coverage. The general
1323 liability insurance required by this paragraph must remain in
1324 full force and effect for the entire period of the provider
1325 contract with the coalition.

1326 (l) Notwithstanding paragraph (j), for a private
1327 prekindergarten provider that is a state agency or a subdivision
1328 thereof, as defined in s. 768.28(2), the provider must agree to
1329 notify the coalition of any additional liability coverage
1330 maintained by the provider in addition to that otherwise
1331 established under s. 768.28. The provider shall indemnify the
1332 coalition to the extent permitted by s. 768.28. Notwithstanding
1333 paragraph (k), for a child development program operating on a
1334 military installation that is certified by the United States

25-01577A-20

20201688__

1335 Department of Defense and accredited by a national accrediting
1336 body, the provider may demonstrate liability coverage by
1337 affirming that it is subject to the Tort Claims Act, 28 U.S.C.
1338 s. 2671 et seq.

1339 (4) A prekindergarten instructor, in lieu of the minimum
1340 credentials ~~and courses~~ required under paragraph (3)(c), may
1341 hold one of the following educational credentials:

1342 (a) A bachelor's or higher degree in early childhood
1343 education, prekindergarten or primary education, preschool
1344 education, or family and consumer science;

1345 (b) A bachelor's or higher degree in elementary education,
1346 if the prekindergarten instructor has been certified to teach
1347 children any age from birth through 6th grade, regardless of
1348 whether the instructor's educator certificate is current, and if
1349 the instructor is not ineligible to teach in a public school
1350 because his or her educator certificate is suspended or revoked;

1351 (c) An associate's or higher degree in child development;

1352 (d) An associate's or higher degree in an unrelated field,
1353 at least 6 credit hours in early childhood education or child
1354 development, and at least 480 hours of experience in teaching or
1355 providing child care services for children any age from birth
1356 through 8 years of age; or

1357 (e) An educational credential approved by the department as
1358 being equivalent to or greater than an educational credential
1359 described in this subsection. The department may adopt criteria
1360 and procedures for approving equivalent educational credentials
1361 under this paragraph.

1362 (5)

1363 (b) Notwithstanding any other provision of law, if a

25-01577A-20

20201688__

1364 private prekindergarten provider has been cited for a Class I
1365 violation, as defined by rule by the Child Care Services Program
1366 Office of the Department of Children and Families, the coalition
1367 may refuse to contract with the provider.

1368 (6) Each early learning coalition must verify that each
1369 private prekindergarten provider delivering the Voluntary
1370 Prekindergarten Education Program within the coalition's county
1371 or multicounty region complies with this part. If a private
1372 prekindergarten provider fails or refuses to comply with this
1373 part or if a provider engages in misconduct, the department
1374 shall require the early learning coalition to remove the
1375 provider from eligibility to deliver the program and receive
1376 state funds under this part for a period of at least 2 years but
1377 not more than 5 years.

1378 Section 35. Present paragraphs (b) and (c) of subsection
1379 (2) of section 1002.57, Florida Statutes, are redesignated as
1380 paragraphs (c) and (d), respectively, a new paragraph (b) is
1381 added to that subsection, and subsection (1) of that section is
1382 amended, to read:

1383 1002.57 Prekindergarten director credential.—

1384 (1) The department ~~office~~, in consultation with the
1385 Department of Children and Families, shall adopt minimum
1386 standards for a credential for prekindergarten directors of
1387 private prekindergarten providers delivering the Voluntary
1388 Prekindergarten Education Program. The credential must encompass
1389 requirements for education and onsite experience.

1390 (2) The educational requirements must include training in
1391 the following:

1392 (a) Professionally accepted standards for prekindergarten

25-01577A-20

20201688__

1393 programs, early learning, and strategies and techniques to
1394 address the age-appropriate progress of prekindergarten students
1395 in attaining the performance standards adopted by the department
1396 under s. 1002.67;

1397 (b) Implementation of curriculum and usage of student-level
1398 data to inform the delivery of instruction;

1399 (c)~~(b)~~ Strategies that allow students with disabilities and
1400 other special needs to derive maximum benefit from the Voluntary
1401 Prekindergarten Education Program; and

1402 (d)~~(e)~~ Program administration and operations, including
1403 management, organizational leadership, and financial and legal
1404 issues.

1405 Section 36. Section 1002.59, Florida Statutes, is amended
1406 to read:

1407 1002.59 Emergent literacy and performance standards
1408 training courses.—

1409 (1) The department ~~office~~ shall adopt minimum standards for
1410 ~~one or more training~~ courses in emergent literacy for
1411 prekindergarten instructors. Each course must comprise 5 clock
1412 hours and provide instruction in strategies and techniques to
1413 address the age-appropriate progress of prekindergarten students
1414 in developing emergent literacy skills, including oral
1415 communication, knowledge of print and letters, phonemic and
1416 phonological awareness, and vocabulary and comprehension
1417 development. Each course must also provide resources containing
1418 strategies that allow students with disabilities and other
1419 special needs to derive maximum benefit from the Voluntary
1420 Prekindergarten Education Program. Successful completion of an
1421 emergent literacy training course approved under this section

25-01577A-20

20201688__

1422 satisfies requirements for approved training in early literacy
1423 and language development under ss. 402.305(2)(e)5., 402.313(6),
1424 and 402.3131(5).

1425 (2) The department ~~office~~ shall adopt minimum standards for
1426 ~~one or more training~~ courses on the performance standards
1427 adopted under s. 1002.67(1). Each course must consist of
1428 ~~comprise~~ at least 3 clock hours, provide instruction in
1429 strategies and techniques to address age-appropriate progress of
1430 each child in attaining the standards, and be available online.

1431 (3) The department shall make available online professional
1432 development and training courses consisting of at least 8 clock
1433 hours that support prekindergarten instructors in increasing the
1434 competency of teacher-child interactions.

1435 Section 37. Present subsections (6) through (8) of section
1436 1002.61, Florida Statutes, are redesignated as subsections (7)
1437 through (9), respectively, new subsections (6) and (10) are
1438 added to that section, and paragraph (b) of subsection (1),
1439 paragraph (b) of subsection (3), subsection (4), and present
1440 subsections (6) and (8) of that section are amended, to read:

1441 1002.61 Summer prekindergarten program delivered by public
1442 schools and private prekindergarten providers.-

1443 (1)

1444 (b) Each early learning coalition shall administer the
1445 Voluntary Prekindergarten Education Program at the county or
1446 regional level for students enrolled under s. 1002.53(3)(b) in a
1447 summer prekindergarten program delivered by a private
1448 prekindergarten provider. A child development program operating
1449 on a military installation that is certified by the United
1450 States Department of Defense and accredited by a national

25-01577A-20

20201688__

1451 accrediting body may administer the summer prekindergarten
1452 program as a private prekindergarten provider.

1453 (3)

1454 (b) Each public school delivering the summer
1455 prekindergarten program must execute the statewide provider
1456 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1457 school district may execute a single agreement with the early
1458 learning coalition on behalf of all district schools.

1459 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
1460 each public school and private prekindergarten provider must
1461 have, for each prekindergarten class, at least one
1462 prekindergarten instructor who is a certified teacher or holds
1463 one of the educational credentials specified in s. 1002.55(4)(a)
1464 or (b). As used in this subsection, the term "certified teacher"
1465 means a teacher holding a valid Florida educator certificate
1466 under s. 1012.56 who has the qualifications required by the
1467 district school board to instruct students in the summer
1468 prekindergarten program. In selecting instructional staff for
1469 the summer prekindergarten program, each school district shall
1470 give priority to teachers who have experience or coursework in
1471 early childhood education and have completed emergent literacy
1472 and performance standards courses, as defined in s.
1473 1002.55(3)(c)2.

1474 (6) A child development program operating on a military
1475 installation that is certified by the United States Department
1476 of Defense and accredited by a national accrediting body shall
1477 comply with the requirements of a private prekindergarten
1478 provider in this section.

1479 (7) ~~(6)~~ A public school or private prekindergarten provider

25-01577A-20

20201688__

1480 may assign a substitute instructor to temporarily replace a
1481 credentialed instructor if the credentialed instructor assigned
1482 to a prekindergarten class is absent, as long as the substitute
1483 instructor is of good moral character and has been screened
1484 before employment in accordance with level 2 background
1485 screening requirements in chapter 435. This subsection does not
1486 supersede employment requirements for instructional personnel in
1487 public schools which are more stringent than the requirements of
1488 this subsection. The department ~~Office of Early Learning~~ shall
1489 adopt rules to implement this subsection which shall include
1490 required qualifications of substitute instructors and the
1491 circumstances and time limits for which a public school or
1492 private prekindergarten provider may assign a substitute
1493 instructor.

1494 (9) ~~(8)~~ Each public school delivering the summer
1495 prekindergarten program must also register with the early
1496 learning coalition on forms prescribed by the department ~~Office~~
1497 ~~of Early Learning~~ and deliver the Voluntary Prekindergarten
1498 Education Program in accordance with this part.

1499 (10) (a) Each early learning coalition shall verify that
1500 each private prekindergarten provider delivering the Voluntary
1501 Prekindergarten Education Program within the coalition's county
1502 or multicounty region complies with this part. Each district
1503 school board shall verify that each public school delivering the
1504 program within the school district complies with this part.

1505 (b) If a private prekindergarten provider or public school
1506 fails or refuses to comply with this part, or if a provider or
1507 school engages in misconduct, the department shall require the
1508 early learning coalition to remove the provider or require the

25-01577A-20

20201688__

1509 school district to remove the school from eligibility to deliver
1510 the Voluntary Prekindergarten Education Program and receive
1511 state funds under this part for a period of at least 2 years but
1512 not more than 5 years.

1513 Section 38. Paragraph (b) of subsection (3) and subsections
1514 (6) and (8) of section 1002.63, Florida Statutes, are amended,
1515 and subsection (9) is added to that section, to read:

1516 1002.63 School-year prekindergarten program delivered by
1517 public schools.—

1518 (3)

1519 (b) Each public school delivering the school-year
1520 prekindergarten program must execute the statewide provider
1521 contract prescribed under s. 1002.73 ~~s. 1002.75~~, except that the
1522 school district may execute a single agreement with the early
1523 learning coalition on behalf of all district schools.

1524 (6) A public school prekindergarten provider may assign a
1525 substitute instructor to temporarily replace a credentialed
1526 instructor if the credentialed instructor assigned to a
1527 prekindergarten class is absent, as long as the substitute
1528 instructor is of good moral character and has been screened
1529 before employment in accordance with level 2 background
1530 screening requirements in chapter 435. This subsection does not
1531 supersede employment requirements for instructional personnel in
1532 public schools which are more stringent than the requirements of
1533 this subsection. The State Board of Education ~~Office of Early~~
1534 ~~Learning~~ shall adopt rules to implement this subsection which
1535 shall include required qualifications of substitute instructors
1536 and the circumstances and time limits for which a public school
1537 prekindergarten provider may assign a substitute instructor.

25-01577A-20

20201688__

1538 (8) Each public school delivering the school-year
1539 prekindergarten program must register with the early learning
1540 coalition on forms prescribed by the department ~~Office of Early~~
1541 ~~Learning~~ and deliver the Voluntary Prekindergarten Education
1542 Program in accordance with this part.

1543 (9) (a) Each district school board shall verify that each
1544 public school delivering the Voluntary Prekindergarten Education
1545 Program within the school district complies with this part.

1546 (b) If a public school fails or refuses to comply with this
1547 part, or if a school engages in misconduct, the department shall
1548 require the school district to remove the school from
1549 eligibility to deliver the Voluntary Prekindergarten Education
1550 Program and receive state funds under this part for a period of
1551 at least 2 years but not more than 5 years.

1552 Section 39. Section 1002.67, Florida Statutes, is amended
1553 to read:

1554 1002.67 Performance standards ~~and~~ curricula ~~and~~
1555 ~~accountability.~~

1556 (1) (a) The department ~~office~~ shall develop and adopt
1557 performance standards for students in the Voluntary
1558 Prekindergarten Education Program. The performance standards
1559 must address the age-appropriate progress of students in the
1560 development of:

1561 1. The capabilities, capacities, and skills required under
1562 s. 1(b), Art. IX of the State Constitution; ~~and~~

1563 2. Emergent literacy skills, including oral communication,
1564 knowledge of print and letters, phonemic and phonological
1565 awareness, and vocabulary and comprehension development; and

1566 3. Mathematical thinking and early math skills.

25-01577A-20

20201688__

1567
1568 ~~By October 1, 2013, the office shall examine the existing~~
1569 ~~performance standards in the area of mathematical thinking and~~
1570 ~~develop a plan to make appropriate professional development and~~
1571 ~~training courses available to prekindergarten instructors.~~

1572 (b) At least every 3 years, the department office shall
1573 periodically review and, if necessary, revise the performance
1574 standards established under s. 1002.67 ~~for the statewide~~
1575 ~~kindergarten screening administered under s. 1002.69~~ and align
1576 the standards to the standards established by the state board
1577 for student performance on the statewide assessments
1578 administered pursuant to s. 1008.22.

1579 (2) (a) Each private prekindergarten provider and public
1580 school may select or design the curriculum that the provider or
1581 school uses to implement the Voluntary Prekindergarten Education
1582 Program, except as otherwise required for a provider or school
1583 that is placed on probation under s. 1002.68 ~~paragraph (4) (c).~~

1584 (b) Each private prekindergarten provider's and public
1585 school's curriculum must be developmentally appropriate and
1586 must:

1587 1. Be designed to prepare a student for early literacy and
1588 provide for instruction in early math skills;

1589 2. Enhance the age-appropriate progress of students in
1590 attaining the performance standards adopted by the department
1591 under subsection (1); and

1592 3. Support student learning gains through differentiated
1593 instruction that shall be measured by the coordinated screening
1594 and progress-monitoring program under s. 1008.2125 ~~Prepare~~
1595 ~~students to be ready for kindergarten based upon the statewide~~

25-01577A-20

20201688__

1596 ~~kindergarten screening administered under s. 1002.69.~~

1597 (c) The State Board of Education ~~office~~ shall adopt rules
1598 for the review and approval of ~~approve~~ curricula for use by
1599 private prekindergarten providers and public schools that are
1600 placed on probation under s. 1002.68 ~~paragraph (4)(c)~~. The
1601 department ~~office~~ shall administer the review and approval
1602 process and maintain a list of the curricula approved under this
1603 paragraph. Each approved curriculum must meet the requirements
1604 of paragraph (b).

1605 ~~(3)(a) Contingent upon legislative appropriation, each~~
1606 ~~private prekindergarten provider and public school in the~~
1607 ~~Voluntary Prekindergarten Education Program must implement an~~
1608 ~~evidence-based pre- and post-assessment that has been approved~~
1609 ~~by rule of the State Board of Education.~~

1610 ~~(b) In order to be approved, the assessment must be valid,~~
1611 ~~reliable, developmentally appropriate, and designed to measure~~
1612 ~~student progress on domains which must include, but are not~~
1613 ~~limited to, early literacy, numeracy, and language.~~

1614 ~~(c) The pre- and post-assessment must be administered by~~
1615 ~~individuals meeting requirements established by rule of the~~
1616 ~~State Board of Education.~~

1617 ~~(4)(a) Each early learning coalition shall verify that each~~
1618 ~~private prekindergarten provider delivering the Voluntary~~
1619 ~~Prekindergarten Education Program within the coalition's county~~
1620 ~~or multicounty region complies with this part. Each district~~
1621 ~~school board shall verify that each public school delivering the~~
1622 ~~program within the school district complies with this part.~~

1623 ~~(b) If a private prekindergarten provider or public school~~
1624 ~~fails or refuses to comply with this part, or if a provider or~~

25-01577A-20

20201688__

1625 ~~school engages in misconduct, the office shall require the early~~
1626 ~~learning coalition to remove the provider and require the school~~
1627 ~~district to remove the school from eligibility to deliver the~~
1628 ~~Voluntary Prekindergarten Education Program and receive state~~
1629 ~~funds under this part for a period of 5 years.~~

1630 ~~(c)1. If the kindergarten readiness rate of a private~~
1631 ~~prekindergarten provider or public school falls below the~~
1632 ~~minimum rate adopted by the office as satisfactory under s.~~
1633 ~~1002.69(6), the early learning coalition or school district, as~~
1634 ~~applicable, shall require the provider or school to submit an~~
1635 ~~improvement plan for approval by the coalition or school~~
1636 ~~district, as applicable, and to implement the plan; shall place~~
1637 ~~the provider or school on probation; and shall require the~~
1638 ~~provider or school to take certain corrective actions, including~~
1639 ~~the use of a curriculum approved by the office under paragraph~~
1640 ~~(2)(c) or a staff development plan to strengthen instruction in~~
1641 ~~language development and phonological awareness approved by the~~
1642 ~~office.~~

1643 ~~2. A private prekindergarten provider or public school that~~
1644 ~~is placed on probation must continue the corrective actions~~
1645 ~~required under subparagraph 1., including the use of a~~
1646 ~~curriculum or a staff development plan to strengthen instruction~~
1647 ~~in language development and phonological awareness approved by~~
1648 ~~the office, until the provider or school meets the minimum rate~~
1649 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
1650 ~~Failure to implement an approved improvement plan or staff~~
1651 ~~development plan shall result in the termination of the~~
1652 ~~provider's contract to deliver the Voluntary Prekindergarten~~
1653 ~~Education Program for a period of 5 years.~~

25-01577A-20

20201688__

1654 ~~3. If a private prekindergarten provider or public school~~
1655 ~~remains on probation for 2 consecutive years and fails to meet~~
1656 ~~the minimum rate adopted by the office as satisfactory under s.~~
1657 ~~1002.69(6) and is not granted a good cause exemption by the~~
1658 ~~office pursuant to s. 1002.69(7), the office shall require the~~
1659 ~~early learning coalition or the school district to remove, as~~
1660 ~~applicable, the provider or school from eligibility to deliver~~
1661 ~~the Voluntary Prekindergarten Education Program and receive~~
1662 ~~state funds for the program for a period of 5 years.~~

1663 ~~(d) Each early learning coalition and the office shall~~
1664 ~~coordinate with the Child Care Services Program Office of the~~
1665 ~~Department of Children and Families to minimize interagency~~
1666 ~~duplication of activities for monitoring private prekindergarten~~
1667 ~~providers for compliance with requirements of the Voluntary~~
1668 ~~Prekindergarten Education Program under this part, the school~~
1669 ~~readiness program under part VI of this chapter, and the~~
1670 ~~licensing of providers under ss. 402.301-402.319.~~

1671 Section 40. Section 1002.68, Florida Statutes, is created
1672 to read:

1673 1002.68 Voluntary Prekindergarten Education Program
1674 accountability.-

1675 (1) (a) Beginning with the 2021-2022 program year, each
1676 private prekindergarten provider and public school participating
1677 in the Voluntary Prekindergarten Education Program must
1678 participate in the coordinated screening and progress-monitoring
1679 program in accordance with s. 1008.2125. The coordinated
1680 screening and progress-monitoring program results shall be used
1681 by the department to identify student learning gains, index
1682 development learning outcomes upon program completion relative

25-01577A-20

20201688__

1683 to the performance standards established under s. 1002.67 and
1684 representative norms, and inform a provider's performance
1685 metric.

1686 (b) At a minimum, the initial and final progress-monitoring
1687 or screening must be administered by individuals meeting
1688 requirements adopted by the department pursuant to s. 1008.2125.

1689 (c) Each private prekindergarten provider and public school
1690 must provide a student's performance results to the student's
1691 parents no later than 7 days after the administration of such
1692 screening and progress monitoring.

1693 (2) Beginning with the 2020-2021 program year, each private
1694 prekindergarten provider and public school in the Voluntary
1695 Prekindergarten Education Program must participate in a program
1696 assessment of each voluntary prekindergarten education
1697 classroom. The program assessment shall measure the quality of
1698 teacher-child interactions, including emotional and behavioral
1699 support, engaged support for learning, classroom organization,
1700 and instructional support for children ages 3 to 5 years. Each
1701 private prekindergarten provider and public school in the
1702 Voluntary Prekindergarten Education Program shall receive the
1703 results of the program assessment for each classroom within 14
1704 days of the observation.

1705
1706 The program assessment and screening and progress-monitoring
1707 must be administered by individuals meeting requirements
1708 established by rule of the State Board of Education.

1709 (3) (a) For the 2019-2020 program year, the department shall
1710 calculate a performance metric for each provider based upon
1711 learning gains and the percentage of students who are assessed

25-01577A-20

20201688__

1712 as ready for kindergarten. The department shall require that
1713 each school district administer the statewide kindergarten
1714 screening in use before the 2020-2021 school year to each
1715 kindergarten student in the school district within the first 30
1716 school days of the 2020-2021 school year. Nonpublic schools may
1717 administer the statewide kindergarten screening to each
1718 kindergarten student in a nonpublic school who was enrolled in
1719 the Voluntary Prekindergarten Education Program.

1720 (b) For the 2020-2021 program year, the department shall
1721 calculate a program performance metric for each provider based
1722 upon learning gains and the program assessment, which shall be
1723 weighted at a minimum of approximately 50 percent of a program's
1724 performance metric and administered pursuant to this section.

1725 (c) For purposes of this subsection, learning gains shall
1726 be determined using a value-added measure based on growth
1727 demonstrated by the results of the preassessment and
1728 postassessment in use before the 2021-2022 program year.

1729 (d) Any provider who fails to meet the minimum voluntary
1730 prekindergarten readiness rate or program performance metric
1731 during the 2020-2021 program year shall be subject to the
1732 probation requirements of subsection (5).

1733 (4) (a) Beginning with the 2021-2022 program year, the
1734 department shall adopt a methodology for calculating each
1735 provider's performance metric, which must be based on a
1736 combination of the following:

1737 1. Program assessment scores under subsection (2), which
1738 shall be weighted at approximately 50 percent.

1739 2. Learning gains expressed as the change in ability scores
1740 from the initial and final progress-monitoring results described

25-01577A-20

20201688__

1741 in subsection (1).

1742 3. Norm-referenced developmental learning outcomes
1743 described in subsection (1).

1744 (b) For purposes of this subsection, the methodology for
1745 calculation may only include prekindergarten students who have
1746 attended at least 85 percent of a private prekindergarten
1747 provider's or public school's program.

1748 (c) The methodology must include a statistical latent
1749 profile analysis that is conducted by a contracted independent
1750 expert with experience in relevant quantitative analysis, early
1751 childhood assessment, and designing state-level accountability
1752 systems. Such expert must be able to produce a limited number of
1753 program performance metric profiles that summarize all programs'
1754 profiles that inform the assignment of a letter grading system
1755 to include grades "A" through "F." The contracted independent
1756 expert may not be a direct stakeholder or have had a financial
1757 interest in the design or delivery of the Voluntary
1758 Prekindergarten Education Program or public school systems
1759 within the last 5 years.

1760 (d) The grading system must provide for a differential
1761 payment to a private prekindergarten provider and public school
1762 based on program performance. The maximum differential payment
1763 may not exceed a total of 15 percent of the base student
1764 allocation per full-time equivalent as defined in s. 1002.71. A
1765 private prekindergarten provider or public school may not
1766 receive a differential if it is assigned a grade of "C" or
1767 below. Before the adoption of a methodology, the department and
1768 the contracted expert shall confer with the Council for Early
1769 Grade Success under s. 1008.2125 before receiving approval for

25-01577A-20

20201688__

1770 the final recommendations on the grading system and differential
1771 payments.

1772 (e) The department shall adopt procedures to annually
1773 calculate each private prekindergarten provider's and public
1774 school's program performance metric and grade based on the
1775 methodology adopted in paragraphs (a) and (b). Beginning with
1776 the 2022-2023 program year, each private prekindergarten
1777 provider or public school shall be assigned a grade within 45
1778 days of the conclusion of the school year Voluntary
1779 Prekindergarten Education Program delivered by all participating
1780 private prekindergarten providers or public schools and within
1781 45 days of the conclusion of the summer prekindergarten program
1782 delivered by all participating private prekindergarten providers
1783 or public schools.

1784 (f) The department shall adopt a minimum program
1785 performance metric or grade that, if achieved by a private
1786 prekindergarten provider or public school, would demonstrate the
1787 provider's or school's satisfactory delivery of the Voluntary
1788 Prekindergarten Education Program.

1789 (5) (a) If a public school's or private prekindergarten
1790 provider's program assessment composite score for its
1791 prekindergarten classrooms fails to meet the minimum threshold
1792 for contracting established by the department pursuant to s.
1793 1002.82(2)(n), then the public school or private prekindergarten
1794 provider may not participate in the Voluntary Prekindergarten
1795 Education Program beginning in the subsequent program year and
1796 thereafter until the public school or private prekindergarten
1797 provider meets the minimum threshold for contracting.

1798 (b) If a private prekindergarten provider's or public

25-01577A-20

20201688__

1799 school's program performance metric or grade falls below the
1800 minimum program performance metric or grade, the early learning
1801 coalition or school district, as applicable, shall:

1802 1. Require the provider or school to submit an improvement
1803 plan for approval by the coalition or school district, as
1804 applicable, and to implement the plan;

1805 2. Place the provider or school on probation; and

1806 3. Require the provider or school to take certain
1807 corrective actions, including the use of a curriculum approved
1808 by the department under s. 1002.67(2)(c) or a staff development
1809 plan approved by the department to strengthen instructional
1810 practices in emotional and behavioral support, engaged support
1811 for learning, classroom organization, language development,
1812 phonological awareness, alphabet knowledge, and mathematical
1813 thinking.

1814 (c) A private prekindergarten provider or public school
1815 that is placed on probation must continue the corrective actions
1816 required under paragraph (b) until the provider or school meets
1817 the minimum program performance metric or grade adopted by the
1818 department. Failure to meet the requirements of subparagraphs
1819 (b)1. and 3. shall result in the termination of the provider's
1820 or school's contract to deliver the Voluntary Prekindergarten
1821 Education Program for a period of at least 2 years but no more
1822 than 5 years.

1823 (d) If a private prekindergarten provider or public school
1824 remains on probation for 2 consecutive years and fails to meet
1825 the minimum program performance metric or grade, or is not
1826 granted a good cause exemption by the department, the department
1827 shall require the early learning coalition or the school

25-01577A-20

20201688__

1828 district to revoke the provider's or school's eligibility to
1829 deliver the Voluntary Prekindergarten Education Program and
1830 receive state funds for the program for a period of at least 2
1831 years but no more than 5 years.

1832 (6) (a) The department, upon the request of a private
1833 prekindergarten provider or public school that remains on
1834 probation for at least 2 consecutive years and subsequently
1835 fails to meet the minimum program performance metric or grade
1836 adopted pursuant to paragraph (5) (c), and for good cause shown,
1837 may grant to the provider or school an exemption from being
1838 determined ineligible to deliver the Voluntary Prekindergarten
1839 Education Program and receive state funds for the program. Such
1840 exemption is valid for 1 year and, upon the request of the
1841 private prekindergarten provider or public school and for good
1842 cause shown, may be renewed.

1843 (b) A private prekindergarten provider's or public school's
1844 request for a good cause exemption, or renewal of such an
1845 exemption, must be submitted to the department in the manner and
1846 within the timeframes prescribed by the department and must
1847 include the following:

1848 1. Data from the private prekindergarten provider or public
1849 school which documents the achievement and progress of the
1850 children served, as measured by any required screenings or
1851 assessments.

1852 2. Data from the program assessment required under s.
1853 1002.55 which demonstrates effective teaching practices as
1854 recognized by the contracted expert.

1855 3. Data from the early learning coalition or district
1856 school board, as applicable, the Department of Children and

25-01577A-20

20201688__

1857 Families, the local licensing authority, or an accrediting
1858 association, as applicable, relating to the private
1859 prekindergarten provider's or public school's compliance with
1860 state and local health and safety standards.

1861 (c) The department shall adopt criteria for granting good
1862 cause exemptions. Such criteria must include, but are not
1863 limited to, all of the following:

1864 1. Child demographic data that evidences a private
1865 prekindergarten provider or public school serves a statistically
1866 significant population of children with special needs who have
1867 individual education plans and can demonstrate progress toward
1868 meeting the goals outlined in the students' individual education
1869 plans.

1870 2. Learning gains of children served in the Voluntary
1871 Prekindergarten Education Program by the private prekindergarten
1872 provider or public school on an alternative measure that has
1873 comparable validity and reliability of the screening and
1874 progress-monitoring program in accordance with s. 1008.2125.

1875 3. Program assessment data under subsection (2) which
1876 demonstrates effective teaching practices as recognized by the
1877 contracted expert.

1878 4. Verification that local and state health and safety
1879 requirements are met.

1880 (d) A good cause exemption may not be granted to any
1881 private prekindergarten provider or public school that has any
1882 Class I violations or two or more Class II violations within the
1883 2 years preceding the provider's or school's request for the
1884 exemption. For purposes of this paragraph, Class I and Class II
1885 violations have the same meaning as provided in s. 1002.945.

25-01577A-20

20201688__

1886 (e) A private prekindergarten provider or public school
1887 granted a good cause exemption shall continue to implement its
1888 improvement plan and continue the corrective actions required
1889 under subsection (5) (b) until the provider or school meets the
1890 minimum program performance metric.

1891 (f) If a good cause exemption is granted to a private
1892 prekindergarten provider or public school that remains on
1893 probation for 2 consecutive years, the department shall notify
1894 the early learning coalition or school district of the good
1895 cause exemption and direct that the coalition or school district
1896 not remove the provider from eligibility to deliver the
1897 Voluntary Prekindergarten Education Program or to receive state
1898 funds for the program if the provider meets all other applicable
1899 requirements of this part.

1900 (g) The department shall report the number of Voluntary
1901 Prekindergarten Education Program providers or public schools
1902 that have received a good cause exemption and the reasons for
1903 the exemptions as part of its annual reporting requirements
1904 under s. 1002.82(5).

1905 (7) Representatives from the school districts and early
1906 learning coalitions must meet annually to develop strategies to
1907 transition students from the Voluntary Prekindergarten Education
1908 Program to kindergarten.

1909 Section 41. Section 1002.69, Florida Statutes, is repealed.

1910 Section 42. Paragraph (c) of subsection (3), subsection
1911 (4), paragraph (b) of subsection (5), paragraphs (b) and (d) of
1912 subsection (6), and subsection (7) of section 1002.71, Florida
1913 Statutes, are amended to read:

1914 1002.71 Funding; financial and attendance reporting.-

25-01577A-20

20201688__

1915 (3)

1916 (c) The initial allocation shall be based on estimated
1917 student enrollment in each coalition service area. The
1918 department ~~Office of Early Learning~~ shall reallocate funds among
1919 the coalitions based on actual full-time equivalent student
1920 enrollment in each coalition service area. Each coalition shall
1921 report student enrollment pursuant to subsection (2) on a
1922 monthly basis. A student enrollment count for the prior fiscal
1923 year may not be amended after September 30 of the subsequent
1924 fiscal year.

1925 (4) Notwithstanding s. 1002.53(3) and subsection (2):

1926 (a) A child who, for any of the prekindergarten programs
1927 listed in s. 1002.53(3), has not completed more than 70 percent
1928 of the hours authorized to be reported for funding under
1929 subsection (2), or has not expended more than 70 percent of the
1930 funds authorized for the child under s. 1002.66, may withdraw
1931 from the program for good cause and reenroll in one of the
1932 programs. The total funding for a child who reenrolls in one of
1933 the programs for good cause may not exceed one full-time
1934 equivalent student. Funding for a child who withdraws and
1935 reenrolls in one of the programs for good cause shall be issued
1936 in accordance with the department's ~~Office of Early Learning's~~
1937 uniform attendance policy adopted pursuant to paragraph (6)(d).

1938 (b) A child who has not substantially completed any of the
1939 prekindergarten programs listed in s. 1002.53(3) may withdraw
1940 from the program due to an extreme hardship that is beyond the
1941 child's or parent's control, reenroll in one of the summer
1942 programs, and be reported for funding purposes as a full-time
1943 equivalent student in the summer program for which the child is

25-01577A-20

20201688__

1944 reenrolled.

1945
1946 A child may reenroll only once in a prekindergarten program
1947 under this section. A child who reenrolls in a prekindergarten
1948 program under this subsection may not subsequently withdraw from
1949 the program and reenroll, unless the child is granted a good
1950 cause exemption under this subsection. The department ~~Office of~~
1951 ~~Early Learning~~ shall establish criteria specifying whether a
1952 good cause exists for a child to withdraw from a program under
1953 paragraph (a), whether a child has substantially completed a
1954 program under paragraph (b), and whether an extreme hardship
1955 exists which is beyond the child's or parent's control under
1956 paragraph (b).

1957 (5)

1958 (b) The department ~~Office of Early Learning~~ shall adopt
1959 procedures for the payment of private prekindergarten providers
1960 and public schools delivering the Voluntary Prekindergarten
1961 Education Program. The procedures shall provide for the advance
1962 payment of providers and schools based upon student enrollment
1963 in the program, the certification of student attendance, and the
1964 reconciliation of advance payments in accordance with the
1965 uniform attendance policy adopted under paragraph (6) (d). The
1966 procedures shall provide for the monthly distribution of funds
1967 by the department ~~Office of Early Learning~~ to the early learning
1968 coalitions for payment by the coalitions to private
1969 prekindergarten providers and public schools.

1970 (6)

1971 (b)1. Each private prekindergarten provider's and district
1972 school board's attendance policy must require the parent of each

25-01577A-20

20201688__

1973 student in the Voluntary Prekindergarten Education Program to
 1974 verify, each month, the student's attendance on the prior
 1975 month's certified student attendance.

1976 2. The parent must submit the verification of the student's
 1977 attendance to the private prekindergarten provider or public
 1978 school on forms prescribed by the department ~~Office of Early~~
 1979 ~~Learning~~. The forms must include, in addition to the
 1980 verification of the student's attendance, a certification, in
 1981 substantially the following form, that the parent continues to
 1982 choose the private prekindergarten provider or public school in
 1983 accordance with s. 1002.53 and directs that payments for the
 1984 program be made to the provider or school:

1985 VERIFICATION OF STUDENT'S ATTENDANCE
 1986 AND CERTIFICATION OF PARENTAL CHOICE

1987 I, ...(Name of Parent)..., swear (or affirm) that my child,
 1988 ...(Name of Student)..., attended the Voluntary Prekindergarten
 1989 Education Program on the days listed above and certify that I
 1990 continue to choose ...(Name of Provider or School)... to deliver
 1991 the program for my child and direct that program funds be paid
 1992 to the provider or school for my child.

1993 ...(Signature of Parent)...

1994 ...(Date)...

1995 3. The private prekindergarten provider or public school
 1996 must keep each original signed form for at least 2 years. Each
 1997 private prekindergarten provider must permit the early learning
 1998 coalition, and each public school must permit the school
 1999 district, to inspect the original signed forms during normal
 2000 business hours. The department ~~Office of Early Learning~~ shall
 2001 adopt procedures for early learning coalitions and school

25-01577A-20

20201688__

2002 districts to review the original signed forms against the
2003 certified student attendance. The review procedures shall
2004 provide for the use of selective inspection techniques,
2005 including, but not limited to, random sampling. Each early
2006 learning coalition and the school districts must comply with the
2007 review procedures.

2008 (d) The department ~~Office of Early Learning~~ shall adopt,
2009 for funding purposes, a uniform attendance policy for the
2010 Voluntary Prekindergarten Education Program. The attendance
2011 policy must apply statewide and apply equally to all private
2012 prekindergarten providers and public schools. The attendance
2013 policy must include at least the following provisions:

2014 1. A student's attendance may be reported on a pro rata
2015 basis as a fractional part of a full-time equivalent student.

2016 2. At a maximum, 20 percent of the total payment made on
2017 behalf of a student to a private prekindergarten provider or a
2018 public school may be for hours a student is absent.

2019 3. A private prekindergarten provider or public school may
2020 not receive payment for absences that occur before a student's
2021 first day of attendance or after a student's last day of
2022 attendance.

2023
2024 The uniform attendance policy shall be used only for funding
2025 purposes and does not prohibit a private prekindergarten
2026 provider or public school from adopting and enforcing its
2027 attendance policy under paragraphs (a) and (c).

2028 (7) The department ~~Office of Early Learning~~ shall require
2029 that administrative expenditures be kept to the minimum
2030 necessary for efficient and effective administration of the

25-01577A-20

20201688__

2031 Voluntary Prekindergarten Education Program. Administrative
2032 policies and procedures shall be revised, to the maximum extent
2033 practicable, to incorporate the use of automation and electronic
2034 submission of forms, including those required for child
2035 eligibility and enrollment, provider and class registration, and
2036 monthly certification of attendance for payment. A school
2037 district may use its automated daily attendance reporting system
2038 for the purpose of transmitting attendance records to the early
2039 learning coalition in a mutually agreed-upon format. In
2040 addition, actions shall be taken to reduce paperwork, eliminate
2041 the duplication of reports, and eliminate other duplicative
2042 activities. Each early learning coalition may retain and expend
2043 no more than 4.0 percent of the funds paid by the coalition to
2044 private prekindergarten providers and public schools under
2045 paragraph (5) (b). Funds retained by an early learning coalition
2046 under this subsection may be used only for administering the
2047 Voluntary Prekindergarten Education Program and may not be used
2048 for the school readiness program or other programs.

2049 Section 43. Subsection (1) of section 1002.72, Florida
2050 Statutes, is amended to read:

2051 1002.72 Records of children in the Voluntary
2052 Prekindergarten Education Program.—

2053 (1) (a) The records of a child enrolled in the Voluntary
2054 Prekindergarten Education Program held by an early learning
2055 coalition, the department ~~Office of Early Learning~~, or a
2056 Voluntary Prekindergarten Education Program provider are
2057 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
2058 of the State Constitution. For purposes of this section, such
2059 records include assessment data, health data, records of teacher

25-01577A-20

20201688__

2060 observations, and personal identifying information of an
2061 enrolled child and his or her parent.

2062 (b) This exemption applies to the records of a child
2063 enrolled in the Voluntary Prekindergarten Education Program held
2064 by an early learning coalition, the department ~~Office of Early~~
2065 ~~Learning~~, or a Voluntary Prekindergarten Education Program
2066 provider before, on, or after the effective date of this
2067 exemption.

2068 Section 44. Section 1002.73, Florida Statutes, is amended
2069 to read:

2070 1002.73 Department of Education; powers and duties;
2071 accountability requirements.—

2072 (1) The department shall adopt by rule a standard statewide
2073 provider contract to be used with each Voluntary Prekindergarten
2074 Education Program provider, with standardized attachments by
2075 provider type. The department shall publish a copy of the
2076 standard statewide provider contract on its website. The
2077 standard statewide provider contract shall include, at a
2078 minimum, provisions for provider probation, termination for
2079 cause, and emergency termination for those actions or inactions
2080 of a provider that pose an immediate and serious danger to the
2081 health, safety, or welfare of children. The standard statewide
2082 provider contract shall also include appropriate due process
2083 procedures. During the pendency of an appeal of a termination,
2084 the provider may not continue to offer its services. Any
2085 provision imposed upon a provider that is inconsistent with, or
2086 prohibited by, law is void and unenforceable ~~administer the~~
2087 ~~accountability requirements of the Voluntary Prekindergarten~~
2088 ~~Education Program at the state level.~~

25-01577A-20

20201688__

- 2089 (2) The department shall adopt procedures for ~~its~~:
- 2090 (a) Approval of prekindergarten director credentials under
- 2091 ss. 1002.55 and 1002.57.
- 2092 (b) Approval of emergent literacy training courses under
- 2093 ss. 1002.55 and 1002.59.
- 2094 (c) Annually notifying providers placed on probation for
- 2095 not meeting the minimum performance metric as required by s.
- 2096 1002.68 of the free and low-cost, high-quality professional
- 2097 development opportunities developed or supported by the
- 2098 department.
- 2099 (3) The department shall adopt procedures governing the
- 2100 administration of the Voluntary Prekindergarten Education
- 2101 Program by the early learning coalitions and school districts
- 2102 for:
- 2103 (a) Enrolling children in and determining the eligibility
- 2104 of children for the Voluntary Prekindergarten Education Program
- 2105 under s. 1002.53, which shall include the enrollment of children
- 2106 by public schools and private providers that meet specified
- 2107 requirements.
- 2108 (b) Providing parents with profiles of private
- 2109 prekindergarten providers and public schools under s. 1002.53.
- 2110 (c) Registering private prekindergarten providers and
- 2111 public schools to deliver the program under ss. 1002.55,
- 2112 1002.61, and 1002.63.
- 2113 (d) Determining the eligibility of private prekindergarten
- 2114 providers to deliver the program under ss. 1002.55 and 1002.61
- 2115 and streamlining the process of determining provider eligibility
- 2116 whenever possible.
- 2117 (e) Verifying the compliance of private prekindergarten

25-01577A-20

20201688__

2118 providers and public schools and removing providers or schools
2119 from eligibility to deliver the program due to noncompliance or
2120 misconduct as provided in s. 1002.67.

2121 (f) Paying private prekindergarten providers and public
2122 schools under s. 1002.71.

2123 (g) Documenting and certifying student enrollment and
2124 student attendance under s. 1002.71.

2125 (h) Reconciling advance payments in accordance with the
2126 uniform attendance policy under s. 1002.71.

2127 (i) Reenrolling students dismissed by a private
2128 prekindergarten provider or public school for noncompliance with
2129 the provider's or school district's attendance policy under s.
2130 1002.71.

2131 (4) The department shall administer the accountability
2132 requirements of the Voluntary Prekindergarten Education Program
2133 at the state level.

2134 (5) The department shall adopt rules governing the
2135 administration of the Voluntary Prekindergarten Education
2136 Program by the early learning coalitions and school districts
2137 for:

2138 (a) Approving improvement plans of private prekindergarten
2139 providers and public schools under s. 1002.68.

2140 (b) Placing private prekindergarten providers and public
2141 schools on probation and requiring corrective actions under s.
2142 1002.68.

2143 (c) Removing a private prekindergarten provider or public
2144 school from eligibility to deliver the program due to the
2145 provider's or school's remaining on probation beyond the time
2146 permitted under s. 1002.68. Notwithstanding any other law, if a

25-01577A-20

20201688__

2147 private prekindergarten provider has been cited for a Class I
2148 violation, as defined by rule by the Child Care Services Program
2149 Office of the Department of Children and Families, the coalition
2150 may refuse to contract with the provider or revoke the
2151 provider's eligibility to deliver the Voluntary Prekindergarten
2152 Education Program.

2153 (d) Enrolling children in and determining the eligibility
2154 of children for the Voluntary Prekindergarten Education Program
2155 under s. 1002.66.

2156 (e) Paying specialized instructional services providers
2157 under s. 1002.66.

2158 ~~(c) Administration of the statewide kindergarten screening~~
2159 ~~and calculation of kindergarten readiness rates under s.~~
2160 ~~1002.69.~~

2161 ~~(d) Implementation of, and determination of costs~~
2162 ~~associated with, the state-approved prekindergarten enrollment~~
2163 ~~screening and the standardized postassessment approved by the~~
2164 ~~department, and determination of the learning gains of students~~
2165 ~~who complete the state-approved prekindergarten enrollment~~
2166 ~~screening and the standardized postassessment approved by the~~
2167 ~~department.~~

2168 ~~(f)~~ (e) Approving Approval of specialized instructional
2169 services providers under s. 1002.66.

2170 ~~(f) Annual reporting of the percentage of kindergarten~~
2171 ~~students who meet all state readiness measures.~~

2172 (g) Granting of a private prekindergarten provider's or
2173 public school's request for a good cause exemption under s.
2174 1002.68 s. 1002.69(7).

2175 (6) The department shall adopt procedures for the

25-01577A-20

20201688__

2176 distribution of funds to early learning coalitions under s.
2177 1002.71.

2178 (7)(3) Except as provided by law, the department may not
2179 impose requirements on a private prekindergarten provider or
2180 public school that does not deliver the Voluntary
2181 Prekindergarten Education Program or receive state funds under
2182 this part.

2183 Section 45. Sections 1002.75 and 1002.77, Florida Statutes,
2184 are repealed.

2185 Section 46. Section 1002.79, Florida Statutes, is amended
2186 to read:

2187 1002.79 Rulemaking authority.—The State Board of Education
2188 ~~Office of Early Learning~~ shall adopt rules under ss. 120.536(1)
2189 and 120.54 to administer the provisions of this part conferring
2190 duties upon the department office.

2191 Section 47. Subsections (13) through (16) of section
2192 1002.81, Florida Statutes, are renumbered as subsections (12)
2193 through (15), respectively, and subsections (3), (4), and (12)
2194 of that section are amended, to read:

2195 1002.81 Definitions.—Consistent with the requirements of 45
2196 C.F.R. parts 98 and 99 and as used in this part, the term:

2197 (3) "Prevailing ~~Average~~ market rate" means the biennially
2198 determined 75th percentile of a reasonable frequency
2199 distribution ~~average~~ of the market rate by program care level
2200 and provider type in a predetermined geographic market at which
2201 child care providers charge a person for child care services.

2202 (4) "Direct enhancement services" means services for
2203 families and children that are in addition to payments for the
2204 placement of children in the school readiness program. Direct

25-01577A-20

20201688__

2205 enhancement services for families and children may include
 2206 supports for providers, parent training and involvement
 2207 activities, and strategies to meet the needs of unique
 2208 populations and local eligibility priorities. Direct enhancement
 2209 services offered by an early learning coalition shall be
 2210 consistent with the activities prescribed in s. 1002.89(5)(b) ~~s.~~
 2211 ~~1002.89(6)(b)~~.

2212 ~~(12) "Office" means the Office of Early Learning of the~~
 2213 ~~Department of Education.~~

2214 Section 48. Subsections (1) through (5) of section 1002.82,
 2215 Florida Statutes, are amended to read:

2216 1002.82 Department of Education Office of Early Learning;
 2217 powers and duties.—

2218 (1) For purposes of administration of the Child Care and
 2219 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
 2220 98 and 99, the Department of Education Office of Early Learning
 2221 is designated as the lead agency and must comply with lead
 2222 agency responsibilities pursuant to federal law. The department
 2223 ~~office~~ may apply to the Governor and Cabinet for a waiver of,
 2224 and the Governor and Cabinet may waive, any provision of ss.
 2225 411.223 and 1003.54 if the waiver is necessary for
 2226 implementation of the school readiness program. Section
 2227 125.901(2)(a)3. does not apply to the school readiness program.

2228 (2) The department office shall:

2229 (a) Focus on improving the educational quality delivered by
 2230 all providers participating in the school readiness program.

2231 (b) Preserve parental choice by permitting parents to
 2232 choose from a variety of child care categories, including
 2233 center-based care, family child care, and informal child care to

25-01577A-20

20201688__

2234 the extent authorized in the state's Child Care and Development
2235 Fund Plan as approved by the United States Department of Health
2236 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
2237 curriculum by a faith-based provider may not be limited or
2238 excluded in any of these categories.

2239 (c) Be responsible for the prudent use of all public and
2240 private funds in accordance with all legal and contractual
2241 requirements, safeguarding the effective use of federal, state,
2242 and local resources to achieve the highest practicable level of
2243 school readiness for the children described in s. 1002.87,
2244 including:

2245 1. The adoption of a uniform chart of accounts for
2246 budgeting and financial reporting purposes that provides
2247 standardized definitions for expenditures and reporting,
2248 consistent with the requirements of 45 C.F.R. part 98 and s.
2249 1002.89 for each of the following categories of expenditure:

- 2250 a. Direct services to children.
- 2251 b. Administrative costs.
- 2252 c. Quality activities.
- 2253 d. Nondirect services.

2254 2. Coordination with other state and federal agencies to
2255 perform data matches on children participating in the school
2256 readiness program and their families in order to verify the
2257 children's eligibility pursuant to s. 1002.87.

2258 (d) Establish procedures for the biennial calculation of
2259 the prevailing ~~average~~ market rate.

2260 (e) Review each early learning coalition's school readiness
2261 program plan every 2 years and provide final approval of the
2262 plan and any amendments submitted.

25-01577A-20

20201688__

2263 (f) Establish a unified approach to the state's efforts to
2264 coordinate a comprehensive early learning program. In support of
2265 this effort, the department ~~office~~:

2266 1. Shall adopt specific program support services that
2267 address the state's school readiness program, including:

2268 a. Statewide data information program requirements that
2269 include:

2270 (I) Eligibility requirements.

2271 (II) Financial reports.

2272 (III) Program accountability measures.

2273 (IV) Child progress reports.

2274 b. Child care resource and referral services.

2275 c. A single point of entry and uniform waiting list.

2276 2. May provide technical assistance and guidance on
2277 additional support services to complement the school readiness
2278 program, including:

2279 a. Rating and improvement systems.

2280 b. Warm-Line services.

2281 c. Anti-fraud plans.

2282 d. School readiness program standards.

2283 e. Child screening and assessments.

2284 f. Training and support for parental involvement in
2285 children's early education.

2286 g. Family literacy activities and services.

2287 (g) Provide technical assistance to early learning
2288 coalitions.

2289 (h) In cooperation with the early learning coalitions,
2290 coordinate with the Child Care Services Program Office of the
2291 Department of Children and Families to reduce paperwork and to

25-01577A-20

20201688__

2292 avoid duplicating interagency activities, health and safety
2293 monitoring, and acquiring and composing data pertaining to child
2294 care training and credentialing.

2295 (i) Enter into a memorandum of understanding with local
2296 licensing agencies and the Child Care Services Program Office of
2297 the Department of Children and Families for inspections of
2298 school readiness program providers to monitor and verify
2299 compliance with s. 1002.88 and the health and safety checklist
2300 adopted by the department ~~office~~. The provider contract of a
2301 school readiness program provider that refuses permission for
2302 entry or inspection shall be terminated. The health and safety
2303 checklist may not exceed the requirements of s. 402.305 and the
2304 Child Care and Development Fund pursuant to 45 C.F.R. part 98. A
2305 child development program operating on a military installation
2306 that is certified by the United States Department of Defense and
2307 accredited by a national accrediting body is exempt from the
2308 inspection requirements under s. 1002.88.

2309 (j) Monitor the alignment and consistency of the ~~Develop~~
2310 ~~and adopt~~ standards and benchmarks developed and adopted by the
2311 department that address the age-appropriate progress of children
2312 in the development of school readiness skills. The standards for
2313 children from birth to 5 years of age in the school readiness
2314 program must be aligned with the performance standards adopted
2315 for children in the Voluntary Prekindergarten Education Program
2316 and must address the following domains:

- 2317 1. Approaches to learning.
- 2318 2. Cognitive development and general knowledge.
- 2319 3. Numeracy, language, and communication.
- 2320 4. Physical development.

25-01577A-20

20201688__

- 2321 5. Self-regulation.
- 2322 (k) Identify observation-based child assessments that are
- 2323 valid, reliable, and developmentally appropriate for use at
- 2324 least three times a year. The assessments must:
- 2325 1. Provide interval level and criterion-referenced data
- 2326 that measures equivalent levels of growth across the core
- 2327 domains of early childhood development and that can be used for
- 2328 determining developmentally appropriate learning gains.
- 2329 2. Measure progress in the performance standards adopted
- 2330 pursuant to paragraph (j).
- 2331 3. Provide for appropriate accommodations for children with
- 2332 disabilities and English language learners and be administered
- 2333 by qualified individuals, consistent with the developer's
- 2334 instructions.
- 2335 4. Coordinate with the performance standards adopted by the
- 2336 department under s. 1002.67(1) for the Voluntary Prekindergarten
- 2337 Education Program.
- 2338 5. Provide data in a format for use in the single statewide
- 2339 information system to meet the requirements of paragraph (q)
- 2340 ~~(p)~~.
- 2341 (l) Adopt a list of approved curricula that meet the
- 2342 performance standards for the school readiness program and
- 2343 establish a process for the review and approval of a provider's
- 2344 curriculum that meets the performance standards.
- 2345 (m) Provide technical support to an early learning
- 2346 coalition to facilitate the use of ~~Adopt by rule~~ a standard
- 2347 statewide provider contract to be used with each school
- 2348 readiness program provider, with standardized attachments by
- 2349 provider type. The department ~~office~~ shall publish a copy of the

25-01577A-20

20201688__

2350 standard statewide provider contract on its website. The
2351 standard statewide contract shall include, at a minimum,
2352 contracted slots, if applicable, in accordance with the Child
2353 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
2354 and 99; quality improvement strategies, if applicable; program
2355 assessment requirements; and provisions for provider probation,
2356 termination for cause, and emergency termination for those
2357 actions or inactions of a provider that pose an immediate and
2358 serious danger to the health, safety, or welfare of the
2359 children. The standard statewide provider contract shall also
2360 include appropriate due process procedures. During the pendency
2361 of an appeal of a termination, the provider may not continue to
2362 offer its services. Any provision imposed upon a provider that
2363 is inconsistent with, or prohibited by, law is void and
2364 unenforceable. Provisions for termination for cause must also
2365 include failure to meet the minimum quality measures established
2366 under paragraph (n) for a period of up to 5 years, unless the
2367 coalition determines that the provider is essential to meeting
2368 capacity needs based on the assessment under s. 1002.85(2)(j)
2369 and the provider has an active improvement plan pursuant to
2370 paragraph (n).

2371 (n) Adopt a program assessment for school readiness program
2372 providers that measures the quality of teacher-child
2373 interactions, including emotional and behavioral support,
2374 engaged support for learning, classroom organization, and
2375 instructional support for children ages birth to 5 years. The
2376 implementation of the program assessment must also include the
2377 following components adopted by rule by the State Board of
2378 Education:

25-01577A-20

20201688__

2379 1. Quality measures, including a minimum threshold for
2380 contracting purposes and program improvement through an
2381 improvement plan.

2382 2. Requirements for program participation, frequency of
2383 program assessment, and exemptions.

2384 (o) No later than July 1, 2019, develop a differential
2385 payment program based on the quality measures adopted by the
2386 department ~~office~~ under paragraph (n). The differential payment
2387 may not exceed a total of 15 percent for each care level and
2388 unit of child care for a child care provider. No more than 5
2389 percent of the 15 percent total differential may be provided to
2390 providers who submit valid and reliable data to the statewide
2391 information system in the domains of language and executive
2392 functioning using a child assessment identified pursuant to
2393 paragraph (k). Providers below the minimum threshold for
2394 contracting purposes are ineligible for such payment.

2395 (p) No later than July 1, 2021, develop and adopt
2396 requirements for the implementation of a program designed to
2397 make available contracted slots to serve an at-risk child, as
2398 defined in s. 1002.81(1)(d) and (f), and to serve children at
2399 the greatest risk of school failure as determined by the
2400 children being located in an area that has been designated as a
2401 poverty area tract according to the latest census data. The
2402 contracted slot program may also be used to increase the
2403 availability of child care capacity based on the assessment
2404 under s. 1002.85(2)(j).

2405 (q) ~~(p)~~ Establish a single statewide information system that
2406 each coalition must use for the purposes of managing the single
2407 point of entry, tracking children's progress, coordinating

25-01577A-20

20201688__

2408 services among stakeholders, determining eligibility of
2409 children, tracking child attendance, and streamlining
2410 administrative processes for providers and early learning
2411 coalitions. By July 1, 2019, the system, subject to ss. 1002.72
2412 and 1002.97, shall:

2413 1. Allow a parent to monitor the development of his or her
2414 child as the child moves among programs within the state.

2415 2. Enable analysis at the state, regional, and local level
2416 to measure child growth over time, program impact, and quality
2417 improvement and investment decisions.

2418 (r)~~(e)~~ Provide technical support to coalitions to
2419 facilitate the use of ~~Adopt by rule~~ standardized procedures
2420 adopted by rule by the State Board of Education for coalitions
2421 to use when monitoring the compliance of school readiness
2422 program providers with the terms of the standard statewide
2423 provider contract.

2424 (s)~~(r)~~ Monitor and evaluate the performance of each early
2425 learning coalition in administering the school readiness
2426 program, ensuring proper payments for school readiness program
2427 services, implementing the coalition's school readiness program
2428 plan, and administering the Voluntary Prekindergarten Education
2429 Program. These monitoring and performance evaluations must
2430 include, at a minimum, onsite monitoring of each coalition's
2431 finances, management, operations, and programs.

2432 (t)~~(s)~~ Work in conjunction with the Bureau of Federal
2433 Education Programs within the Department of Education to
2434 coordinate readiness and voluntary prekindergarten services to
2435 the populations served by the bureau.

2436 (u)~~(t)~~ Administer a statewide toll-free Warm-Line to

25-01577A-20

20201688__

2437 provide assistance and consultation to child care facilities and
2438 family day care homes regarding health, developmental,
2439 disability, and special needs issues of the children they are
2440 serving, particularly children with disabilities and other
2441 special needs. The department ~~office~~ shall:

2442 1. Annually inform child care facilities and family day
2443 care homes of the availability of this service through the child
2444 care resource and referral network under s. 1002.92.

2445 2. Expand or contract for the expansion of the Warm-Line to
2446 maintain at least one Warm-Line in each early learning coalition
2447 service area.

2448 (v) ~~(u)~~ Develop and implement strategies to increase the
2449 supply and improve the quality of child care services for
2450 infants and toddlers, children with disabilities, children who
2451 receive care during nontraditional hours, children in
2452 underserved areas, and children in areas that have significant
2453 concentrations of poverty and unemployment.

2454 (w) ~~(v)~~ Establish preservice and inservice training
2455 requirements that address, at a minimum, school readiness child
2456 development standards, health and safety requirements, and
2457 social-emotional behavior intervention models, which may include
2458 positive behavior intervention and support models, including the
2459 integration of early learning professional development pathways
2460 established in s. 1002.995.

2461 (x) ~~(w)~~ Establish standards for emergency preparedness plans
2462 for school readiness program providers.

2463 (y) ~~(x)~~ Establish group sizes.

2464 (z) ~~(y)~~ Establish staff-to-children ratios that do not
2465 exceed the requirements of s. 402.302(8) or (11) or s.

25-01577A-20

20201688__

2466 402.305(4), as applicable, for school readiness program
2467 providers.

2468 (aa)~~(z)~~ Establish eligibility criteria, including
2469 limitations based on income and family assets, in accordance
2470 with s. 1002.87 and federal law.

2471 (3) If the department ~~office~~ determines during the review
2472 of school readiness program plans, or through monitoring and
2473 performance evaluations conducted under s. 1002.85, that an
2474 early learning coalition has not substantially implemented its
2475 plan, has not substantially met the performance standards and
2476 outcome measures adopted by the department ~~office~~, or has not
2477 effectively administered the school readiness program or
2478 Voluntary Prekindergarten Education Program, the department
2479 ~~office~~ may temporarily contract with a qualified entity to
2480 continue school readiness program and prekindergarten services
2481 in the coalition's county or multicounty region until the
2482 department ~~office~~ reestablishes the coalition and a new school
2483 readiness program plan is approved in accordance with the rules
2484 adopted by the State Board of Education ~~office~~.

2485 (4) The department ~~office~~ may request the Governor to apply
2486 for a waiver to allow a coalition to administer the Head Start
2487 Program to accomplish the purposes of the school readiness
2488 program.

2489 (5) By January 1 of each year, the department ~~office~~ shall
2490 annually publish on its website a report of its activities
2491 conducted under this section. The report must include a summary
2492 of the coalitions' annual reports, a statewide summary, and the
2493 following:

2494 (a) An analysis of early learning activities throughout the

25-01577A-20

20201688__

2495 state, including the school readiness program and the Voluntary
2496 Prekindergarten Education Program.

2497 1. The total and average number of children served in the
2498 school readiness program, enumerated by age, eligibility
2499 priority category, and coalition, and the total number of
2500 children served in the Voluntary Prekindergarten Education
2501 Program.

2502 2. A summary of expenditures by coalition, by fund source,
2503 including a breakdown by coalition of the percentage of
2504 expenditures for administrative activities, quality activities,
2505 nondirect services, and direct services for children.

2506 3. A description of the department's ~~office's~~ and each
2507 coalition's expenditures by fund source for the quality and
2508 enhancement activities described in s. 1002.89(5)(b) ~~s.~~
2509 ~~1002.89(6)(b)~~.

2510 4. A summary of annual findings and collections related to
2511 provider fraud and parent fraud.

2512 5. Data regarding the coalitions' delivery of early
2513 learning programs.

2514 6. The total number of children disenrolled statewide and
2515 the reason for disenrollment.

2516 7. The total number of providers by provider type.

2517 8. The number of school readiness program providers who
2518 have completed the program assessment required under paragraph
2519 (2)(n); the number of providers who have not met the minimum
2520 threshold for contracting established under paragraph (2)(n);
2521 and the number of providers that have an active improvement plan
2522 based on the results of the program assessment under paragraph
2523 (2)(n).

25-01577A-20

20201688__

2524 9. The total number of provider contracts revoked and the
2525 reasons for revocation.

2526 (b) A summary of the activities and detailed expenditures
2527 related to the Child Care Executive Partnership Program.

2528 Section 49. Subsections (1), (2), and (3), paragraph (m) of
2529 subsection (4), and subsections (5), (11), and (13) of section
2530 1002.83, Florida Statutes, are amended to read:

2531 1002.83 Early learning coalitions.—

2532 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
2533 are established and shall maintain direct enhancement services
2534 at the local level and provide access to such services in all 67
2535 counties. Two or more early learning coalitions may join for
2536 purposes of planning and implementing a school readiness program
2537 and the Voluntary Prekindergarten Education Program.

2538 (2) Each early learning coalition shall be composed of at
2539 least 15 members but not more than 30 members.

2540 (3) The Governor shall appoint the chair and two other
2541 members of each early learning coalition, who must each meet the
2542 ~~same~~ qualifications of a ~~as~~ private sector business member
2543 ~~members appointed by the coalition~~ under subsection (5).

2544 (4) Each early learning coalition must include the
2545 following member positions; however, in a multicounty coalition,
2546 each ex officio member position may be filled by multiple
2547 nonvoting members but no more than one voting member shall be
2548 seated per member position. If an early learning coalition has
2549 more than one member representing the same entity, only one ~~of~~
2550 ~~such members~~ may serve as a voting member:

2551 ~~(m) A central agency administrator, where applicable.~~

2552 (5) ~~Including the~~ Members appointed by the Governor under

25-01577A-20

20201688__

2553 subsection (3), more than one-third of the members of each early
2554 learning coalition must be private sector business members,
2555 either for-profit or nonprofit, who do not have, and none of
2556 whose relatives as defined in s. 112.3143 has, a substantial
2557 financial interest in the design or delivery of the Voluntary
2558 Prekindergarten Education Program created under part V of this
2559 chapter or the school readiness program. To meet this
2560 requirement, an early learning coalition must appoint additional
2561 members. The department ~~office~~ shall establish criteria for
2562 appointing private sector business members. These criteria must
2563 include standards for determining whether a member or relative
2564 has a substantial financial interest in the design or delivery
2565 of the Voluntary Prekindergarten Education Program or the school
2566 readiness program.

2567 (11) Each early learning coalition shall establish terms
2568 for all appointed members of the coalition. The terms must be
2569 staggered and must be a uniform length that does not exceed 4
2570 years per term. Coalition chairs shall be appointed for 4 years
2571 in conjunction with their membership on the Early Learning
2572 Advisory Council pursuant to s. 20.052. Appointed members may
2573 serve a maximum of two consecutive terms. When a vacancy occurs
2574 in an appointed position, the coalition must advertise the
2575 vacancy.

2576 (13) Each early learning coalition shall use a coordinated
2577 professional development system that supports the achievement
2578 and maintenance of core competencies by school readiness program
2579 teachers in helping children attain the performance standards
2580 adopted by the department ~~office~~.

2581 Section 50. Subsections (17) through (20) of section

25-01577A-20

20201688__

2582 1002.84, Florida Statutes, are renumbered as subsections (16)
2583 through (19), respectively, and subsections (1), (2), (4), (7),
2584 (8), (15), and (16) and present subsections (17), (18), and (20)
2585 of that section are amended to read:

2586 1002.84 Early learning coalitions; school readiness powers
2587 and duties.—Each early learning coalition shall:

2588 (1) Administer and implement a local comprehensive program
2589 of school readiness program services in accordance with this
2590 part and the rules adopted by the State Board of Education
2591 ~~office~~, which enhances the cognitive, social, and physical
2592 development of children to achieve the performance standards.

2593 (2) Establish a uniform waiting list to track eligible
2594 children waiting for enrollment in the school readiness program
2595 in accordance with rules adopted by the State Board of Education
2596 ~~office~~.

2597 (4) Establish a regional Warm-Line as directed by the
2598 department office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~.
2599 Regional Warm-Line staff shall provide onsite technical
2600 assistance, when requested, to assist child care facilities and
2601 family day care homes with inquiries relating to the strategies,
2602 curriculum, and environmental adaptations the child care
2603 facilities and family day care homes may need as they serve
2604 children with disabilities and other special needs.

2605 (7) Determine child eligibility pursuant to s. 1002.87 and
2606 provider eligibility pursuant to s. 1002.88. Child eligibility
2607 must be redetermined annually. A coalition must document the
2608 reason a child is no longer eligible for the school readiness
2609 program according to the standard codes prescribed by the
2610 department office.

25-01577A-20

20201688__

2611 (8) Establish a parent sliding fee scale that provides for
2612 a parent copayment that is not a barrier to families receiving
2613 school readiness program services. ~~Providers are required to~~
2614 ~~collect the parent's copayment.~~ A coalition may, ~~on a case-by-~~
2615 ~~case basis,~~ waive the copayment for an at-risk child or
2616 temporarily waive the copayment for a child whose family's
2617 income is at or below the federal poverty level or ~~and~~ whose
2618 family experiences a natural disaster or an event that limits
2619 the parent's ability to pay, such as incarceration, placement in
2620 residential treatment, or becoming homeless, or an emergency
2621 situation such as a household fire or burglary, or while the
2622 parent is participating in parenting classes or participating in
2623 an Early Head Start program or Head Start Program. A parent may
2624 not transfer school readiness program services to another school
2625 readiness program provider until the parent has submitted
2626 documentation from the current school readiness program provider
2627 to the early learning coalition stating that the parent has
2628 satisfactorily fulfilled the copayment obligation.

2629 (15) Monitor school readiness program providers in
2630 accordance with its plan, or in response to a parental
2631 complaint, to verify that the standards prescribed in ss.
2632 1002.82 and 1002.88 are being met using a standard monitoring
2633 tool adopted by the department ~~office~~. Providers determined to
2634 be high-risk by the coalition, as demonstrated by substantial
2635 findings of violations of federal law or the general or local
2636 laws of the state, shall be monitored more frequently. Providers
2637 with 3 consecutive years of compliance may be monitored
2638 biennially.

2639 ~~(16) Adopt a payment schedule that encompasses all programs~~

25-01577A-20

20201688__

2640 ~~funded under this part and part V of this chapter. The payment~~
2641 ~~schedule must take into consideration the average market rate,~~
2642 ~~include the projected number of children to be served, and be~~
2643 ~~submitted for approval by the office. Informal child care~~
2644 ~~arrangements shall be reimbursed at not more than 50 percent of~~
2645 ~~the rate adopted for a family day care home.~~

2646 (16) ~~(17)~~ Implement an anti-fraud plan addressing the
2647 detection, reporting, and prevention of overpayments, abuse, and
2648 fraud relating to the provision of and payment for school
2649 readiness program and Voluntary Prekindergarten Education
2650 Program services and submit the plan to the department office
2651 for approval, as required by s. 1002.91.

2652 (17) ~~(18)~~ By October 1 of each year, submit an annual report
2653 to the department office. The report must ~~shall~~ conform to the
2654 format adopted by the department office and must include:

2655 (a) Segregation of school readiness program funds,
2656 Voluntary Prekindergarten Education Program funds, Child Care
2657 Executive Partnership Program funds, and other local revenues
2658 available to the coalition.

2659 (b) Details of expenditures by fund source, including total
2660 expenditures for administrative activities, quality activities,
2661 nondirect services, and direct services for children.

2662 (c) The total number of coalition staff and the related
2663 expenditures for salaries and benefits. For any subcontracts,
2664 the total number of contracted staff and the related
2665 expenditures for salaries and benefits must be included.

2666 (d) The number of children served in the school readiness
2667 program, by provider type, enumerated by age and eligibility
2668 priority category, reported as the number of children served

25-01577A-20

20201688__

2669 during the month, the average participation throughout the
 2670 month, and the number of children served during the month.

2671 (e) The total number of children disenrolled during the
 2672 year and the reasons for disenrollment.

2673 (f) The total number of providers by provider type.

2674 (g) A listing of any school readiness program provider, by
 2675 type, whose eligibility to deliver the school readiness program
 2676 is revoked, including a brief description of the state or
 2677 federal violation that resulted in the revocation.

2678 (h) An evaluation of its direct enhancement services.

2679 (i) The total number of children served in each provider
 2680 facility.

2681 (19) (a) ~~(20)~~ To increase transparency and accountability,
 2682 comply with the requirements of this section before contracting
 2683 with one or more of the following persons or business entities
 2684 which employs, has a contractual relationship with, or is owned
 2685 by the following persons:

2686 1. A member of the coalition appointed pursuant to s.
 2687 1002.83(4);

2688 2. A board member of any other early learning subrecipient
 2689 entity;

2690 3. A coalition employee; or

2691 4. A relative, as defined in s. 112.3143(1)(c), of any
 2692 person identified in subparagraphs 1.-3 a coalition member or of
 2693 an employee of the coalition.

2694 (b) Such contracts may not be executed without the approval
 2695 of the department ~~office~~. Such contracts, as well as
 2696 documentation demonstrating adherence to this section by the
 2697 coalition, must be approved by a two-thirds vote of the

25-01577A-20

20201688__

2698 coalition, a quorum having been established; all conflicts of
2699 interest must be disclosed before the vote; and any member who
2700 may benefit from the contract, or whose relative may benefit
2701 from the contract, must abstain from the vote. A contract under
2702 \$25,000 ~~between an early learning coalition and a member of that~~
2703 ~~coalition or between a relative, as defined in s.~~
2704 ~~112.3143(1)(c), of a coalition member or of an employee of the~~
2705 ~~coalition~~ is not required to have the prior approval of the
2706 department office but must be approved by a two-thirds vote of
2707 the coalition, a quorum having been established, and must be
2708 reported to the department office within 30 days after approval.
2709 If a contract cannot be approved by the department office, a
2710 review of the decision to disapprove the contract may be
2711 requested by the early learning coalition or other parties to
2712 the disapproved contract.

2713 Section 51. Section 1002.85, Florida Statutes, is amended
2714 to read:

2715 1002.85 Early learning coalition plans.—

2716 (1) The department office shall adopt rules prescribing the
2717 standardized format and required content of school readiness
2718 program plans as necessary for a coalition or other qualified
2719 entity to administer the school readiness program as provided in
2720 this part.

2721 (2) Each early learning coalition must biennially submit a
2722 school readiness program plan to the department office before
2723 the expenditure of funds. A coalition may not implement its
2724 school readiness program plan until it receives approval from
2725 the department office. A coalition may not implement any
2726 revision to its school readiness program plan until the

25-01577A-20

20201688__

2727 coalition submits the revised plan to and receives approval from
2728 the department ~~office~~. If the department ~~office~~ rejects a plan
2729 or revision, the coalition must continue to operate under its
2730 previously approved plan. The plan must include, but is not
2731 limited to:

2732 (a) The coalition's operations, including its membership
2733 and business organization, and the coalition's articles of
2734 incorporation and bylaws if the coalition is organized as a
2735 corporation. If the coalition is not organized as a corporation
2736 or other business entity, the plan must include the contract
2737 with a fiscal agent.

2738 (b) The minimum number of children to be served by care
2739 level.

2740 (c) The coalition's procedures for implementing the
2741 requirements of this part, including:

2742 1. Single point of entry.

2743 2. Uniform waiting list.

2744 3. Eligibility and enrollment processes and local
2745 eligibility priorities for children pursuant to s. 1002.87.

2746 4. Parent access and choice.

2747 5. Sliding fee scale and policies on applying the waiver or
2748 reduction of fees in accordance with s. 1002.84(8).

2749 6. Use of preassessments and postassessments, as
2750 applicable.

2751 7. Payment rate schedule.

2752 8. Use of contracted slots, as applicable, based on the
2753 results of the assessment required under paragraph (j).

2754 (d) A detailed description of the coalition's quality
2755 activities and services, including, but not limited to:

25-01577A-20

20201688__

- 2756 1. Resource and referral and school-age child care.
 2757 2. Infant and toddler early learning.
 2758 3. Inclusive early learning programs.
 2759 4. Quality improvement strategies that strengthen teaching
 2760 practices and increase child outcomes.

2761 (e) A detailed budget that outlines estimated expenditures
 2762 for state, federal, and local matching funds at the lowest level
 2763 of detail available by other-cost-accumulator code number; all
 2764 estimated sources of revenue with identifiable descriptions; a
 2765 listing of full-time equivalent positions; contracted
 2766 subcontractor costs with related annual compensation amount or
 2767 hourly rate of compensation; and a capital improvements plan
 2768 outlining existing fixed capital outlay projects and proposed
 2769 capital outlay projects that will begin during the budget year.

2770 (f) A detailed accounting, in the format prescribed by the
 2771 department office, of all revenues and expenditures during the
 2772 previous state fiscal year. Revenue sources should be
 2773 identifiable, and expenditures should be reported by three
 2774 categories: state and federal funds, local matching funds, and
 2775 Child Care Executive Partnership Program funds.

2776 (g) Updated policies and procedures, including those
 2777 governing procurement, maintenance of tangible personal
 2778 property, maintenance of records, information technology
 2779 security, and disbursement controls.

2780 (h) A description of the procedures for monitoring school
 2781 readiness program providers, including in response to a parental
 2782 complaint, to determine that the standards prescribed in ss.
 2783 1002.82 and 1002.88 are met using a standard monitoring tool
 2784 adopted by the department office. Providers determined to be

25-01577A-20

20201688__

2785 high risk by the coalition as demonstrated by substantial
2786 findings of violations of law shall be monitored more
2787 frequently.

2788 (i) Documentation that the coalition has solicited and
2789 considered comments regarding the proposed school readiness
2790 program plan from the local community.

2791 (j) An assessment of local priorities within the county or
2792 multicounty region based on the needs of families and provider
2793 capacity using available community data.

2794 (3) The coalition may periodically amend its plan as
2795 necessary. An amended plan must be submitted to and approved by
2796 the department ~~office~~ before any expenditures are incurred on
2797 the new activities proposed in the amendment.

2798 (4) The department ~~office~~ shall publish a copy of the
2799 standardized format and required content of school readiness
2800 program plans on its website.

2801 (5) The department ~~office~~ shall collect and report data on
2802 coalition delivery of early learning programs. Elements must
2803 ~~shall~~ include, but need not be ~~are not~~ limited to, measures
2804 related to progress towards reducing the number of children on
2805 the waiting list, the percentage of children served by the
2806 program as compared to the number of administrative staff and
2807 overhead, the percentage of children served compared to total
2808 number of children under the age of 5 years below 150 percent of
2809 the federal poverty level, provider payment processes, fraud
2810 intervention, child attendance and stability, use of child care
2811 resource and referral, and kindergarten readiness outcomes for
2812 children in the Voluntary Prekindergarten Education Program or
2813 the school readiness program upon entry into kindergarten. The

25-01577A-20

20201688__

2814 ~~department office~~ shall request input from the coalitions and
2815 school readiness program providers before finalizing the format
2816 and data to be used. The report shall be implemented beginning
2817 July 1, 2014, and results of the report must be included in the
2818 annual report under s. 1002.82.

2819 Section 52. Paragraphs (a), (b), (c), (e), (f), (m), (n),
2820 (p), and (q) of subsection (1) and subsection (3) of section
2821 1002.88, Florida Statutes, are amended, and paragraph (s) is
2822 added to subsection (1) of that section, to read:

2823 1002.88 School readiness program provider standards;
2824 eligibility to deliver the school readiness program.—

2825 (1) To be eligible to deliver the school readiness program,
2826 a school readiness program provider must:

2827 (a) Be a child care facility licensed under s. 402.305, a
2828 family day care home licensed or registered under s. 402.313, a
2829 large family child care home licensed under s. 402.3131, a
2830 public school or nonpublic school exempt from licensure under s.
2831 402.3025, a faith-based child care provider exempt from
2832 licensure under s. 402.316, a before-school or after-school
2833 program described in s. 402.305(1)(c), a child development
2834 program operating on a military installation that is certified
2835 by the United States Department of Defense and accredited by a
2836 national accrediting body, ~~or~~ an informal child care provider to
2837 the extent authorized in the state's Child Care and Development
2838 Fund Plan as approved by the United States Department of Health
2839 and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider
2840 who has been issued a provisional license pursuant to s.
2841 402.309. A provider may not deliver the program while its
2842 license has been converted to a probation-status license

25-01577A-20

20201688__

2843 pursuant to s. 402.310.

2844 (b) Provide instruction and activities to enhance the age-
2845 appropriate progress of each child in attaining the child
2846 development standards adopted by the department ~~office~~ pursuant
2847 to s. 1002.82(2)(j). A provider should include activities to
2848 foster brain development in infants and toddlers; provide an
2849 environment that is rich in language and music and filled with
2850 objects of various colors, shapes, textures, and sizes to
2851 stimulate visual, tactile, auditory, and linguistic senses; and
2852 include 30 minutes of reading to children each day.

2853 (c) Provide basic health and safety of its premises and
2854 facilities and compliance with requirements for age-appropriate
2855 immunizations of children enrolled in the school readiness
2856 program.

2857 1. For a provider that is licensed, compliance with s.
2858 402.305, s. 402.3131, or s. 402.313 and this subsection, as
2859 verified pursuant to s. 402.311, satisfies this requirement.

2860 2. For a provider that is a registered family day care home
2861 or is not subject to licensure or registration by the Department
2862 of Children and Families, compliance with this subsection, as
2863 verified pursuant to s. 402.311, satisfies this requirement.
2864 Upon verification pursuant to s. 402.311, the provider shall
2865 annually post the health and safety checklist adopted by the
2866 department ~~office~~ prominently on its premises in plain sight for
2867 visitors and parents and shall annually submit the checklist to
2868 its local early learning coalition.

2869 3. For a child development program operating on a military
2870 installation that is certified by the United States Department
2871 of Defense and accredited by a national accrediting body, the

25-01577A-20

20201688__

2872 submission and verification of annual inspections pursuant to
2873 United States Department of Defense Instructions 6060.2 and
2874 1402.05 satisfy this requirement.

2875 (e) Employ child care personnel, as defined in s.
2876 402.302(3), who have satisfied the screening requirements of
2877 chapter 402 and fulfilled the training requirements of the
2878 department office.

2879 (f) Implement one of the curricula approved by the
2880 department office that meets the child development standards.

2881 (m) For a provider that is not an informal provider,
2882 maintain general liability insurance and provide the coalition
2883 with written evidence of general liability insurance coverage,
2884 including coverage for transportation of children if school
2885 readiness program children are transported by the provider. A
2886 provider must obtain and retain an insurance policy that
2887 provides a minimum of \$100,000 of coverage per occurrence and a
2888 minimum of \$300,000 general aggregate coverage. The department
2889 office may authorize lower limits upon request, as appropriate.
2890 A provider must add the coalition as a named certificateholder
2891 and as an additional insured. A provider must provide the
2892 coalition with a minimum of 10 calendar days' advance written
2893 notice of cancellation of or changes to coverage. The general
2894 liability insurance required by this paragraph must remain in
2895 full force and effect for the entire period of the provider
2896 contract with the coalition.

2897 (n) For a provider that is an informal provider, comply
2898 with the provisions of paragraph (m) or maintain homeowner's
2899 liability insurance and, if applicable, a business rider. If an
2900 informal provider chooses to maintain a homeowner's policy, the

25-01577A-20

20201688__

2901 provider must obtain and retain a homeowner's insurance policy
2902 that provides a minimum of \$100,000 of coverage per occurrence
2903 and a minimum of \$300,000 general aggregate coverage. The
2904 department office may authorize lower limits upon request, as
2905 appropriate. An informal provider must add the coalition as a
2906 named certificateholder and as an additional insured. An
2907 informal provider must provide the coalition with a minimum of
2908 10 calendar days' advance written notice of cancellation of or
2909 changes to coverage. The general liability insurance required by
2910 this paragraph must remain in full force and effect for the
2911 entire period of the provider's contract with the coalition.

2912 (p) Notwithstanding paragraph (m), for a provider that is a
2913 state agency or a subdivision thereof, as defined in s.
2914 768.28(2), agree to notify the coalition of any additional
2915 liability coverage maintained by the provider in addition to
2916 that otherwise established under s. 768.28. The provider shall
2917 indemnify the coalition to the extent permitted by s. 768.28.
2918 Notwithstanding paragraph (m), for a child development program
2919 operating on a military installation that is certified by the
2920 United States Department of Defense and accredited by a national
2921 accrediting body, the provider may demonstrate liability
2922 coverage by affirming that it is subject to the Federal Tort
2923 Claims Act, 28 U.S.C. ss. 2671 et seq.

2924 (q) Execute the standard statewide provider contract
2925 adopted by the department office.

2926 (s) Collect all parent copayment fees unless a waiver has
2927 been granted under s. 1002.84(8).

2928 (3) The department office and the coalitions may not:

2929 (a) Impose any requirement on a child care provider or

25-01577A-20

20201688__

2930 early childhood education provider that does not deliver
2931 services under the school readiness program or receive state or
2932 federal funds under this part;

2933 (b) Impose any requirement on a school readiness program
2934 provider that exceeds the authority provided under this part or
2935 part V of this chapter or rules adopted pursuant to this part or
2936 part V of this chapter; or

2937 (c) Require a provider to administer a preassessment or
2938 postassessment or, after its implementation, the program
2939 assessment required under s. 1002.67.

2940 Section 53. Subsections (3) through (7) of section 1002.89,
2941 Florida Statutes, are renumbered as subsections (2) through (6),
2942 respectively, and subsections (2), (3), and (6) of that section
2943 are amended, to read:

2944 1002.89 School readiness program; funding.—

2945 (2) ~~The office shall administer school readiness program~~
2946 ~~funds and prepare and submit a unified budget request for the~~
2947 ~~school readiness program in accordance with chapter 216.~~

2948 ~~(3)~~ All instructions to early learning coalitions for
2949 administering this section shall emanate from the department
2950 ~~office~~ in accordance with the policies of the Legislature.

2951 (5) ~~(6)~~ Costs shall be kept to the minimum necessary for the
2952 efficient and effective administration of the school readiness
2953 program with the highest priority of expenditure being direct
2954 services for eligible children. However, no more than 5 percent
2955 of the funds described in subsection (4) ~~subsection (5)~~ may be
2956 used for administrative costs and no more than 22 percent of the
2957 funds described in subsection (4) ~~subsection (5)~~ may be used in
2958 any fiscal year for any combination of administrative costs,

25-01577A-20

20201688__

2959 quality activities, and nondirect services as follows:

2960 (a) Administrative costs as described in 45 C.F.R. s.
2961 98.52, which shall include monitoring providers using the
2962 standard methodology adopted under s. 1002.82 to improve
2963 compliance with state and federal regulations and law pursuant
2964 to the requirements of the statewide provider contract adopted
2965 under s. 1002.82(2)(m).

2966 (b) Activities to improve the quality of child care as
2967 described in 45 C.F.R. s. 98.51, which shall be limited to the
2968 following:

2969 1. Developing, establishing, expanding, operating, and
2970 coordinating resource and referral programs specifically related
2971 to the provision of comprehensive consumer education to parents
2972 and the public to promote informed child care choices specified
2973 in 45 C.F.R. s. 98.33.

2974 2. Awarding grants and providing financial support to
2975 school readiness program providers and their staff to assist
2976 them in meeting applicable state requirements for the program
2977 assessment required under s. 1002.82(2)(n), child care
2978 performance standards, implementing developmentally appropriate
2979 curricula and related classroom resources that support
2980 curricula, providing literacy supports, and providing continued
2981 professional development and training. Any grants awarded
2982 pursuant to this subparagraph shall comply with ss. 215.971 and
2983 287.058.

2984 3. Providing training, technical assistance, and financial
2985 support to school readiness program providers, staff, and
2986 parents on standards, child screenings, child assessments, child
2987 development research and best practices, developmentally

25-01577A-20

20201688__

2988 appropriate curricula, character development, teacher-child
2989 interactions, age-appropriate discipline practices, health and
2990 safety, nutrition, first aid, cardiopulmonary resuscitation, the
2991 recognition of communicable diseases, and child abuse detection,
2992 prevention, and reporting.

2993 4. Providing, from among the funds provided for the
2994 activities described in subparagraphs 1.-3., adequate funding
2995 for infants and toddlers as necessary to meet federal
2996 requirements related to expenditures for quality activities for
2997 infant and toddler care.

2998 5. Improving the monitoring of compliance with, and
2999 enforcement of, applicable state and local requirements as
3000 described in and limited by 45 C.F.R. s. 98.40.

3001 6. Responding to Warm-Line requests by providers and
3002 parents, including providing developmental and health screenings
3003 to school readiness program children.

3004 (c) Nondirect services as described in applicable Office of
3005 Management and Budget instructions are those services not
3006 defined as administrative, direct, or quality services that are
3007 required to administer the school readiness program. Such
3008 services include, but are not limited to:

3009 1. Assisting families to complete the required application
3010 and eligibility documentation.

3011 2. Determining child and family eligibility.

3012 3. Recruiting eligible child care providers.

3013 4. Processing and tracking attendance records.

3014 5. Developing and maintaining a statewide child care
3015 information system.

3016

25-01577A-20

20201688__

3017 As used in this paragraph, the term "nondirect services" does
3018 not include payments to school readiness program providers for
3019 direct services provided to children who are eligible under s.
3020 1002.87, administrative costs as described in paragraph (a), or
3021 quality activities as described in paragraph (b).

3022 Section 54. Subsection (1), paragraph (a) of subsection
3023 (2), and subsections (4), (5), and (6) of section 1002.895,
3024 Florida Statutes, are amended to read:

3025 1002.895 Market rate schedule.—The school readiness program
3026 market rate schedule shall be implemented as follows:

3027 (1) The department ~~office~~ shall establish procedures for
3028 the adoption of a market rate schedule. The schedule must
3029 include, at a minimum, county-by-county rates:

3030 (a) The market rate, including the minimum and the maximum
3031 rates for child care providers that hold a Gold Seal Quality
3032 Care designation under s. 1002.945 and adhere to its accrediting
3033 association's teacher-to-child ratios and group size
3034 requirements ~~s. 402.281~~.

3035 (b) The market rate for child care providers that do not
3036 hold a Gold Seal Quality Care designation.

3037 (2) The market rate schedule, at a minimum, must:

3038 (a) Differentiate rates by type, including, but not limited
3039 to, a child care provider that holds a Gold Seal Quality Care
3040 designation under s. 1002.945 and adheres to its accrediting
3041 association's teacher-to-child ratios and group size
3042 requirements ~~s. 402.281~~, a child care facility licensed under s.
3043 402.305, a public or nonpublic school exempt from licensure
3044 under s. 402.3025, a faith-based child care facility exempt from
3045 licensure under s. 402.316 that does not hold a Gold Seal

25-01577A-20

20201688__

3046 Quality Care designation, a large family child care home
3047 licensed under s. 402.3131, or a family day care home licensed
3048 or registered under s. 402.313.

3049 (4) The market rate schedule shall be considered by the
3050 Early Learning Program Estimating Conference under s. 216.136(8)
3051 ~~an early learning coalition~~ in the adoption of a payment
3052 schedule. The payment schedule must take into consideration the
3053 prevailing average market rate, include the projected number of
3054 children to be served by each county, ~~and be submitted for~~
3055 ~~approval by the office~~. Informal child care arrangements shall
3056 be reimbursed at not more than 50 percent of the rate adopted
3057 for a family day care home.

3058 (5) The department ~~office~~ may contract with one or more
3059 qualified entities to administer this section and provide
3060 support and technical assistance for child care providers.

3061 (6) The State Board of Education ~~office~~ may adopt rules for
3062 establishing procedures for the collection of child care
3063 providers' market rate, the calculation of the prevailing
3064 ~~average~~ market rate by program care level and provider type in a
3065 predetermined geographic market, and the publication of the
3066 market rate schedule.

3067 Section 55. Section 1002.91, Florida Statutes, is amended
3068 to read:

3069 1002.91 Investigations of fraud or overpayment; penalties.—

3070 (1) As used in this subsection, the term "fraud" means an
3071 intentional deception, omission, or misrepresentation made by a
3072 person with knowledge that the deception, omission, or
3073 misrepresentation may result in unauthorized benefit to that
3074 person or another person, or any aiding and abetting of the

25-01577A-20

20201688__

3075 commission of such an act. The term includes any act that
3076 constitutes fraud under applicable federal or state law.

3077 (2) To recover state, federal, and local matching funds,
3078 the department ~~office~~ shall investigate early learning
3079 coalitions, recipients, and providers of the school readiness
3080 program and the Voluntary Prekindergarten Education Program to
3081 determine possible fraud or overpayment. If by its own
3082 inquiries, or as a result of a complaint, the department ~~office~~
3083 has reason to believe that a person, coalition, or provider has
3084 engaged in, or is engaging in, a fraudulent act, it shall
3085 investigate and determine whether any overpayment has occurred
3086 due to the fraudulent act. During the investigation, the
3087 department ~~office~~ may examine all records, including electronic
3088 benefits transfer records, and make inquiry of all persons who
3089 may have knowledge as to any irregularity incidental to the
3090 disbursement of public moneys or other items or benefits
3091 authorizations to recipients.

3092 (3) Based on the results of the investigation, the
3093 department ~~office~~ may, in its discretion, refer the
3094 investigation to the Department of Financial Services for
3095 criminal investigation or refer the matter to the applicable
3096 coalition. Any suspected criminal violation identified by the
3097 department ~~office~~ must be referred to the Department of
3098 Financial Services for criminal investigation.

3099 (4) An early learning coalition may suspend or terminate a
3100 provider from participation in the school readiness program or
3101 the Voluntary Prekindergarten Education Program when it has
3102 reasonable cause to believe that the provider has committed
3103 fraud. The State Board of Education ~~office~~ shall adopt by rule

25-01577A-20

20201688__

3104 appropriate due process procedures that the early learning
3105 coalition shall apply in suspending or terminating any provider,
3106 including the suspension or termination of payment. If
3107 suspended, the provider shall remain suspended until the
3108 completion of any investigation by the department ~~office~~, the
3109 Department of Financial Services, or any other state or federal
3110 agency, and any subsequent prosecution or other legal
3111 proceeding.

3112 (5) If a school readiness program provider or a Voluntary
3113 Prekindergarten Education Program provider, or an owner,
3114 officer, or director thereof, is convicted of, found guilty of,
3115 or pleads guilty or nolo contendere to, regardless of
3116 adjudication, public assistance fraud pursuant to s. 414.39, or
3117 is acting as the beneficial owner for someone who has been
3118 convicted of, found guilty of, or pleads guilty or nolo
3119 contendere to, regardless of adjudication, public assistance
3120 fraud pursuant to s. 414.39, the early learning coalition shall
3121 refrain from contracting with, or using the services of, that
3122 provider for a period of 5 years. In addition, the coalition
3123 shall refrain from contracting with, or using the services of,
3124 any provider that shares an officer or director with a provider
3125 that is convicted of, found guilty of, or pleads guilty or nolo
3126 contendere to, regardless of adjudication, public assistance
3127 fraud pursuant to s. 414.39 for a period of 5 years.

3128 (6) If the investigation is not confidential or otherwise
3129 exempt from disclosure by law, the results of the investigation
3130 may be reported by the department ~~office~~ to the appropriate
3131 legislative committees, the Department of Children and Families,
3132 and such other persons as the department ~~office~~ deems

25-01577A-20

20201688__

3133 appropriate.

3134 (7) The early learning coalition may not contract with a
3135 school readiness program provider or a Voluntary Prekindergarten
3136 Education Program provider who is on the United States
3137 Department of Agriculture National Disqualified List. In
3138 addition, the coalition may not contract with any provider that
3139 shares an officer or director with a provider that is on the
3140 United States Department of Agriculture National Disqualified
3141 List.

3142 (8) Each early learning coalition shall adopt an anti-fraud
3143 plan addressing the detection and prevention of overpayments,
3144 abuse, and fraud relating to the provision of and payment for
3145 school readiness program and Voluntary Prekindergarten Education
3146 Program services and submit the plan to the department ~~office~~
3147 for approval. The State Board of Education ~~office~~ shall adopt
3148 rules establishing criteria for the anti-fraud plan, including
3149 appropriate due process provisions. The anti-fraud plan must
3150 include, at a minimum:

3151 (a) A written description or chart outlining the
3152 organizational structure of the plan's personnel who are
3153 responsible for the investigation and reporting of possible
3154 overpayment, abuse, or fraud.

3155 (b) A description of the plan's procedures for detecting
3156 and investigating possible acts of fraud, abuse, or overpayment.

3157 (c) A description of the plan's procedures for the
3158 mandatory reporting of possible overpayment, abuse, or fraud to
3159 the Office of Inspector General within the department ~~office~~.

3160 (d) A description of the plan's program and procedures for
3161 educating and training personnel on how to detect and prevent

25-01577A-20

20201688__

3162 fraud, abuse, and overpayment.

3163 (e) A description of the plan's procedures, including the
3164 appropriate due process provisions adopted by the department
3165 ~~office~~ for suspending or terminating from the school readiness
3166 program or the Voluntary Prekindergarten Education Program a
3167 recipient or provider who the early learning coalition believes
3168 has committed fraud.

3169 (9) A person who commits an act of fraud as defined in this
3170 section is subject to the penalties provided in s. 414.39(5) (a)
3171 and (b).

3172 Section 56. Subsections (1) and (2) and paragraph (a) of
3173 subsection (3) of section 1002.92, Florida Statutes, are amended
3174 to read:

3175 1002.92 Child care and early childhood resource and
3176 referral.—

3177 (1) As a part of the school readiness program, the
3178 department ~~office~~ shall establish a statewide child care
3179 resource and referral network that is unbiased and provides
3180 referrals to families for child care and information on
3181 available community resources. Preference shall be given to
3182 using early learning coalitions as the child care resource and
3183 referral agencies. If an early learning coalition cannot comply
3184 with the requirements to offer the resource information
3185 component or does not want to offer that service, the early
3186 learning coalition shall select the resource and referral agency
3187 for its county or multicounty region based upon the procurement
3188 requirements of s. 1002.84(12).

3189 (2) At least one child care resource and referral agency
3190 must be established in each early learning coalition's county or

25-01577A-20

20201688__

3191 multicounty region. The State Board of Education ~~office~~ shall
3192 adopt rules regarding accessibility of child care resource and
3193 referral services offered through child care resource and
3194 referral agencies in each county or multicounty region which
3195 include, at a minimum, required hours of operation, methods by
3196 which parents may request services, and child care resource and
3197 referral staff training requirements.

3198 (3) Child care resource and referral agencies shall provide
3199 the following services:

3200 (a) Identification of existing public and private child
3201 care and early childhood education services, including child
3202 care services by public and private employers, and the
3203 development of a resource file of those services through the
3204 single statewide information system developed by the department
3205 ~~office~~ under s. 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services
3206 may include family day care, public and private child care
3207 programs, the Voluntary Prekindergarten Education Program, Head
3208 Start, the school readiness program, special education programs
3209 for prekindergarten children with disabilities, services for
3210 children with developmental disabilities, full-time and part-
3211 time programs, before-school and after-school programs, vacation
3212 care programs, parent education, the temporary cash assistance
3213 program, and related family support services. The resource file
3214 shall include, but not be limited to:

- 3215 1. Type of program.
- 3216 2. Hours of service.
- 3217 3. Ages of children served.
- 3218 4. Number of children served.
- 3219 5. Program information.

25-01577A-20

20201688__

3220 6. Fees and eligibility for services.

3221 7. Availability of transportation.

3222 Section 57. Subsection (1) of section 1002.93, Florida
3223 Statutes, is amended to read:

3224 1002.93 School readiness program transportation services.—

3225 (1) The department ~~office~~ may authorize an early learning
3226 coalition to establish school readiness program transportation
3227 services for children at risk of abuse or neglect who are
3228 participating in the school readiness program, pursuant to
3229 chapter 427. The early learning coalitions may contract for the
3230 provision of transportation services as required by this
3231 section.

3232 Section 58. Subsection (2), paragraphs (b) and (c) of
3233 subsection (3), and subsection (4) of section 1002.94, Florida
3234 Statutes, are amended to read:

3235 1002.94 Child Care Executive Partnership Program.—

3236 (2) The Child Care Executive Partnership, staffed by the
3237 department ~~office~~, shall consist of a representative of the
3238 Executive Office of the Governor and nine members of the
3239 corporate or child care community, appointed by the Governor.

3240 (a) Members shall serve for a period of 4 years, except
3241 that the representative of the Executive Office of the Governor
3242 shall serve at the pleasure of the Governor.

3243 (b) The Child Care Executive Partnership shall be chaired
3244 by a member chosen by a majority vote and shall meet at least
3245 quarterly and at other times upon the call of the chair. The
3246 Child Care Executive Partnership may use any method of
3247 telecommunications to conduct meetings, including establishing a
3248 quorum through telecommunications, only if the public is given

25-01577A-20

20201688__

3249 proper notice of a telecommunications meeting and reasonable
3250 access to observe and, when appropriate, participate.

3251 (c) Members shall serve without compensation, but may be
3252 reimbursed for per diem and travel expenses in accordance with
3253 s. 112.061.

3254 (d) The Child Care Executive Partnership shall have all the
3255 powers and authority, not explicitly prohibited by law,
3256 necessary to carry out and effectuate the purposes of this
3257 section, as well as the functions, duties, and responsibilities
3258 of the partnership, including, but not limited to, the
3259 following:

3260 1. Making recommendations concerning the implementation and
3261 coordination of the school readiness program.

3262 2. Soliciting, accepting, receiving, investing, and
3263 expending funds from public or private sources.

3264 3. Contracting with public or private entities as
3265 necessary.

3266 4. Approving an annual budget.

3267 5. Providing a report to the Governor, the Speaker of the
3268 House of Representatives, and the President of the Senate on or
3269 before December 1 of each year.

3270

3271 Notwithstanding this subsection, the corporate body politic
3272 previously established by prior law is the corporate body
3273 politic for purposes of this section and shall continue in
3274 existence. All member terms of the existing corporate body
3275 politic expire as of June 30, 2013, and new members shall be
3276 appointed beginning July 1, 2013, in accordance with this
3277 subsection.

25-01577A-20

20201688__

3278 (3)

3279 (b) To ensure a seamless service delivery and ease of
3280 access for families, the department ~~office~~ shall administer the
3281 child care purchasing pool funds.

3282 (c) The department ~~office~~, in conjunction with the Child
3283 Care Executive Partnership, shall develop procedures for
3284 disbursement of funds through the child care purchasing pools.
3285 In order to be considered for funding, an early learning
3286 coalition or the department ~~office~~ must commit to:

3287 1. Matching the state purchasing pool funds on a dollar-
3288 for-dollar basis.

3289 2. Expending only those public funds that are matched by
3290 employers, local government, and other matching contributors who
3291 contribute to the purchasing pool. Parents shall also pay a fee,
3292 which may not be less than the amount identified in the early
3293 learning coalition's school readiness program sliding fee scale.

3294 (4) The State Board of Education ~~office~~ may adopt any rules
3295 necessary for the implementation and administration of this
3296 section.

3297 Section 59. Section 1002.945, Florida Statutes, is created
3298 to read:

3299 1002.945 Gold Seal Quality Care Program.— The Gold Seal
3300 Quality Care Program is established within the department.

3301 (1) A child care facility, large family child care home, or
3302 family day care home that is accredited by an accrediting
3303 association approved by the department under subsection (3) and
3304 meets all other requirements shall, upon application to the
3305 department, receive a separate "Gold Seal Quality Care"
3306 designation.

25-01577A-20

20201688__

3307 (2) The State Board of Education shall adopt rules
3308 establishing Gold Seal Quality Care accreditation standards
3309 using nationally recognized accrediting standards as well as
3310 input from accrediting associations.

3311 (3) (a) In order to be approved by the department for
3312 participation in the Gold Seal Quality Care Program, an
3313 accrediting association must apply to the department and
3314 demonstrate that it:

3315 1. Is a recognized accrediting association.

3316 2. Has accrediting standards that substantially meet or
3317 exceed the Gold Seal Quality Care standards adopted by the state
3318 board under subsection (2).

3319 3. Is a registered corporation with the Department of
3320 State.

3321 4. Can provide evidence that the process for accreditation
3322 has, at a minimum, the following components:

3323 a. Clearly defined prerequisites that a child care provider
3324 must meet before beginning the accreditation process;

3325 b. Procedures for completion of a self-study and a
3326 comprehensive onsite verification process for each classroom
3327 that documents compliance with accrediting standards;

3328 c. A training process for accreditation verifiers to ensure
3329 inter-rater reliability;

3330 d. Ongoing compliance procedures to include completion of
3331 an audit and filing of an annual report with the department;

3332 e. Accreditation renewal procedures that include onsite
3333 verification at least every 3 years;

3334 f. A process for verifying continued accreditation
3335 compliance in the event of a transfer of ownership of

25-01577A-20

20201688__

3336 facilities;

3337 g. Procedures for the revocation of accreditation due to
3338 failure to maintain accrediting standards; and

3339 h. A process to communicate issues that arise during the
3340 accreditation period with government entities that have a vested
3341 interest in the Gold Seal Quality Care Program, including the
3342 department, the Department of Children and Families, the
3343 Department of Health, applicable local licensing entities, and
3344 the early learning coalition.

3345 (b) Any accrediting association that does not comply with
3346 the processes and procedures submitted and approved by the
3347 department must be removed as a recognized accrediting
3348 association for a period of at least 2 years but no more than 5
3349 years. If an accrediting association is removed from being an
3350 approved accrediting association, each child care provider
3351 accredited by that association has up to 1 year to obtain a new
3352 accreditation from the remaining department approved
3353 accreditation associations.

3354 (4) In order to obtain and maintain a designation as a Gold
3355 Seal Quality Care provider, a child care facility, large family
3356 child care home, or family day care home must meet the following
3357 additional criteria:

3358 (a) The child care provider may not have had any Class I
3359 violations, as defined by rule by the Department of Children and
3360 Families, within the 2 years preceding its application for
3361 designation as a Gold Seal Quality Care provider. Commission of
3362 a Class I violation is grounds for termination of the
3363 designation as a Gold Seal Quality Care provider until the
3364 provider has not had any Class I violations for a period of 2

25-01577A-20

20201688__

3365 years.

3366 (b) The child care provider may not have had three or more
3367 Class II violations, as defined by rule by the Department of
3368 Children and Families, within the 2 years preceding its
3369 application for designation as a Gold Seal Quality Care
3370 provider. Commission of three or more Class II violations within
3371 a 2-year period is grounds for termination of the designation as
3372 a Gold Seal Quality Care provider until the provider has not had
3373 any Class II violations for a period of 1 year.

3374 (c) The child care provider may not have been cited for the
3375 same Class III violation, as defined by rule by the Department
3376 of Children and Families, three or more times and failed to
3377 correct the violation within 1 year after the date of each
3378 citation, within the 2 years preceding its application for
3379 designation as a Gold Seal Quality Care provider. Commission of
3380 the same Class III violation three or more times and failure to
3381 correct within the required time during a 2-year period is
3382 grounds for termination of the designation until the provider
3383 has not had any Class III violations for a period of 1 year.

3384 (5) A child care facility licensed under s. 402.305 or a
3385 child care facility exempt from licensing under s. 402.316 that
3386 achieves Gold Seal Quality Care status pursuant to this section
3387 is considered an educational institution for the purpose of
3388 qualifying for exemption from ad valorem tax under s. 196.198.

3389 (6) A child care facility licensed under s. 402.305 or a
3390 child care facility exempt from licensing under s. 402.316 that
3391 achieves Gold Seal Quality Care status pursuant to this section
3392 and that participates in the school readiness program must
3393 receive a minimum of a 20 percent rate differential for each

25-01577A-20

20201688__

3394 enrolled school readiness child by care level and unit of child
3395 care. The Early Learning Programs Estimating Conference under s.
3396 216.136(8) may determine a higher rate differential above 20
3397 percent for a school readiness program that maintains group size
3398 and teacher-to-child ratios in accordance with its accrediting
3399 body standards as a function of setting payment rates, but the
3400 rate differential may not exceed 40 percent for each enrolled
3401 school readiness child by care level and unit of child care.

3402 (7) The State Board of Education shall adopt rules under
3403 ss. 120.536(1) and 120.54 which provide criteria and procedures
3404 for reviewing and approving accrediting associations for
3405 participation in the Gold Seal Quality Care Program, and
3406 conferring and revoking Gold Seal Quality Care provider
3407 designations.

3408 Section 60. Section 1002.95, Florida Statutes, is amended
3409 to read:

3410 1002.95 Teacher Education and Compensation Helps (TEACH)
3411 scholarship program.—

3412 (1) The department ~~office~~ may contract for the
3413 administration of the Teacher Education and Compensation Helps
3414 (TEACH) scholarship program, which provides educational
3415 scholarships to caregivers and administrators of early childhood
3416 programs, family day care homes, and large family child care
3417 homes. The goal of the program is to increase the education and
3418 training for caregivers, increase the compensation for child
3419 caregivers who complete the program requirements, and reduce the
3420 rate of participant turnover in the field of early childhood
3421 education.

3422 (2) The State Board of Education ~~office~~ shall adopt rules

25-01577A-20

20201688__

3423 as necessary to administer this section.

3424 Section 61. Subsections (1) and (3) of section 1002.96,
3425 Florida Statutes, are amended to read:

3426 1002.96 Early Head Start collaboration grants.—

3427 (1) Contingent upon specific appropriation, the department
3428 ~~office~~ shall establish a program to award collaboration grants
3429 to assist local agencies in securing Early Head Start programs
3430 through Early Head Start program federal grants. The
3431 collaboration grants shall provide the required matching funds
3432 for public and private nonprofit agencies that have been
3433 approved for Early Head Start program federal grants.

3434 (3) The State Board of Education ~~office~~ may adopt rules as
3435 necessary for the award of collaboration grants to competing
3436 agencies and the administration of the collaboration grants
3437 program under this section.

3438 Section 62. Subsection (1) and paragraph (g) of subsection
3439 (3) of section 1002.97, Florida Statutes, are amended to read:

3440 1002.97 Records of children in the school readiness
3441 program.—

3442 (1) The individual records of children enrolled in the
3443 school readiness program provided under this part, held by an
3444 early learning coalition or the department ~~office~~, are
3445 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3446 of the State Constitution. For purposes of this section, records
3447 include assessment data, health data, records of teacher
3448 observations, and personal identifying information.

3449 (3) School readiness program records may be released to:

3450 (g) Parties to an interagency agreement among early
3451 learning coalitions, local governmental agencies, providers of

25-01577A-20

20201688__

3452 the school readiness program, state agencies, and the department
3453 ~~office~~ for the purpose of implementing the school readiness
3454 program.

3455
3456 Agencies, organizations, or individuals that receive school
3457 readiness program records in order to carry out their official
3458 functions must protect the data in a manner that does not permit
3459 the personal identification of a child enrolled in a school
3460 readiness program and his or her parent by persons other than
3461 those authorized to receive the records.

3462 Section 63. Subsections (1) and (3) of section 1002.995,
3463 Florida Statutes, are amended to read:

3464 1002.995 Early learning professional development standards
3465 and career pathways.—

3466 (1) The department ~~office~~ shall:

3467 (a) Develop early learning professional development
3468 training and course standards to be utilized for school
3469 readiness program providers.

3470 (b) Identify both formal and informal early learning career
3471 pathways with stackable credentials and certifications that
3472 allow early childhood teachers to access specialized
3473 professional development that:

3474 1. Strengthens knowledge and teaching practices.

3475 2. Aligns to established professional standards and core
3476 competencies.

3477 3. Provides a progression of attainable, competency-based
3478 stackable credentials and certifications.

3479 4. Improves outcomes for children to increase kindergarten
3480 readiness and early grade success.

25-01577A-20

20201688__

3481 (3) The State Board of Education ~~office~~ shall adopt rules
3482 to administer this section.

3483 Section 64. Subsection (3) of section 1003.575, Florida
3484 Statutes, is amended to read:

3485 1003.575 Assistive technology devices; findings;
3486 interagency agreements.—Accessibility, utilization, and
3487 coordination of appropriate assistive technology devices and
3488 services are essential as a young person with disabilities moves
3489 from early intervention to preschool, from preschool to school,
3490 from one school to another, from school to employment or
3491 independent living, and from school to home and community. If an
3492 individual education plan team makes a recommendation in
3493 accordance with State Board of Education rule for a student with
3494 a disability, as defined in s. 1003.01(3), to receive an
3495 assistive technology assessment, that assessment must be
3496 completed within 60 school days after the team's recommendation.
3497 To ensure that an assistive technology device issued to a young
3498 person as part of his or her individualized family support plan,
3499 individual support plan, individualized plan for employment, or
3500 individual education plan remains with the individual through
3501 such transitions, the following agencies shall enter into
3502 interagency agreements, as appropriate, to ensure the
3503 transaction of assistive technology devices:

3504 (3) The Voluntary Prekindergarten Education Program
3505 administered by the Department of Education ~~and the Office of~~
3506 ~~Early Learning~~.

3507
3508 Interagency agreements entered into pursuant to this section
3509 shall provide a framework for ensuring that young persons with

25-01577A-20

20201688__

3510 disabilities and their families, educators, and employers are
3511 informed about the utilization and coordination of assistive
3512 technology devices and services that may assist in meeting
3513 transition needs, and shall establish a mechanism by which a
3514 young person or his or her parent may request that an assistive
3515 technology device remain with the young person as he or she
3516 moves through the continuum from home to school to postschool.

3517 Section 65. Section 1007.01, Florida Statutes, is amended
3518 to read:

3519 1007.01 Articulation; legislative intent; purpose; role of
3520 the State Board of Education and the Board of Governors;
3521 Articulation Coordinating Committee.—

3522 (1) It is the intent of the Legislature to facilitate
3523 articulation and seamless integration of the K-20 education
3524 system by building, sustaining, and strengthening relationships
3525 among Early Learning-20 ~~K-20~~ public organizations, between
3526 public and private organizations, and between the education
3527 system as a whole and Florida's communities. The purpose of
3528 building, sustaining, and strengthening these relationships is
3529 to provide for the efficient and effective progression and
3530 transfer of students within the education system and to allow
3531 students to proceed toward their educational objectives as
3532 rapidly as their circumstances permit. The Legislature further
3533 intends that articulation policies and budget actions be
3534 implemented consistently in the practices of the Department of
3535 Education and postsecondary educational institutions and
3536 expressed in the collaborative policy efforts of the State Board
3537 of Education and the Board of Governors.

3538 (2) To improve and facilitate articulation systemwide, the

25-01577A-20

20201688__

3539 State Board of Education and the Board of Governors shall
3540 collaboratively establish and adopt policies with input from
3541 statewide K-20 advisory groups established by the Commissioner
3542 of Education and the Chancellor of the State University System
3543 and shall recommend the policies to the Legislature. The
3544 policies shall relate to:

3545 (a) The alignment between the exit requirements of one
3546 education system and the admissions requirements of another
3547 education system into which students typically transfer.

3548 (b) The identification of common courses, the level of
3549 courses, institutional participation in a statewide course
3550 numbering system, and the transferability of credits among such
3551 institutions.

3552 (c) Identification of courses that meet general education
3553 or common degree program prerequisite requirements at public
3554 postsecondary educational institutions.

3555 (d) Dual enrollment course equivalencies.

3556 (e) Articulation agreements.

3557 (3) The Commissioner of Education, in consultation with the
3558 Chancellor of the State University System, shall establish the
3559 Articulation Coordinating Committee, which shall make
3560 recommendations related to statewide articulation policies and
3561 issues regarding access, quality, and reporting of data
3562 maintained by the education ~~K-20~~ data warehouse, established
3563 pursuant to ss. 1001.10 and 1008.31, to the Higher Education
3564 Coordination Council, the State Board of Education, and the
3565 Board of Governors. The committee shall consist of two members
3566 each representing the State University System, the Florida
3567 College System, public career and technical education, K-12

25-01577A-20

20201688__

3568 education, and nonpublic postsecondary education and one member
3569 representing students. The chair shall be elected from the
3570 membership. The Office of K-20 Articulation shall provide
3571 administrative support for the committee. The committee shall:

3572 (a) Monitor the alignment between the exit requirements of
3573 one education system and the admissions requirements of another
3574 education system into which students typically transfer and make
3575 recommendations for improvement.

3576 (b) Propose guidelines for interinstitutional agreements
3577 between and among public schools, career and technical education
3578 centers, Florida College System institutions, state
3579 universities, and nonpublic postsecondary institutions.

3580 (c) Annually recommend dual enrollment course and high
3581 school subject area equivalencies for approval by the State
3582 Board of Education and the Board of Governors.

3583 (d) Annually review the statewide articulation agreement
3584 pursuant to s. 1007.23 and make recommendations for revisions.

3585 (e) Annually review the statewide course numbering system,
3586 the levels of courses, and the application of transfer credit
3587 requirements among public and nonpublic institutions
3588 participating in the statewide course numbering system and
3589 identify instances of student transfer and admissions
3590 difficulties.

3591 (f) Annually publish a list of courses that meet common
3592 general education and common degree program prerequisite
3593 requirements at public postsecondary institutions identified
3594 pursuant to s. 1007.25.

3595 (g) Foster timely collection and reporting of statewide
3596 education data to improve the Early Learning-20 ~~K-20~~ education

25-01577A-20

20201688__

3597 performance accountability system pursuant to ss. 1001.10 and
3598 1008.31, including, but not limited to, data quality,
3599 accessibility, and protection of student records.

3600 (h) Recommend roles and responsibilities of public
3601 education entities in interfacing with the single, statewide
3602 computer-assisted student advising system established pursuant
3603 to s. 1006.735.

3604 Section 66. Section 1008.2125, Florida Statutes, is created
3605 to read:

3606 1008.2125 Coordinated screening and progress-monitoring
3607 program for students in the Voluntary Prekindergarten Education
3608 Program through grade 3.—

3609 (1) The primary purpose of the coordinated screening and
3610 progress-monitoring program for students in the Voluntary
3611 Prekindergarten Education Program through grade 3 is to provide
3612 information on students' progress in mastering the appropriate
3613 grade-level standards to parents, teachers, and school and
3614 program administrators. Data must be used by Voluntary
3615 Prekindergarten Education Program providers and school districts
3616 to improve instruction, by parents and teachers to guide
3617 learning objectives and provide timely and appropriate supports
3618 and interventions to students not meeting grade level
3619 expectations, and by the public to assess the cost benefit of
3620 the expenditure of taxpayer dollars. The program shall:

3621 (a) Assess the progress of students in the Voluntary
3622 Prekindergarten Education Program through grade 3 in meeting the
3623 appropriate expectations in early literacy and math skills and
3624 in English Language Arts and mathematics, as required by ss.
3625 1002.67(1)(a) and 1003.41.

25-01577A-20

20201688__

3626 (b) Provide data for accountability of the Voluntary
3627 Prekindergarten Education Program, as required by s. 1002.68.

3628 (c) Provide baseline data to the department of each
3629 student's readiness for kindergarten, which must be based on
3630 each kindergarten student's progress-monitoring results within
3631 the first 30 days of enrollment in accordance with paragraph
3632 (2) (a).

3633 (d) Identify the educational strengths and needs of
3634 students in the Voluntary Prekindergarten Education Program
3635 through grade 3.

3636 (e) Provide teachers with progress-monitoring data to
3637 provide timely interventions and supports pursuant to s.
3638 1008.25(5).

3639 (f) Assess how well educational goals and curricular
3640 standards are met at the provider, school, district, and state
3641 levels.

3642 (g) Provide information to aid in the evaluation and
3643 development of educational programs and policies.

3644 (2) The Commissioner of Education shall design a statewide,
3645 standardized screening and progress-monitoring program to assess
3646 early literacy, dyslexia, mathematics skills, and the English
3647 Language Arts and mathematics standards established in ss.
3648 1002.67(1) (a) and 1003.41, respectively. The screening and
3649 progress-monitoring program must provide interval level and
3650 criterion-referenced data that measures equivalent levels of
3651 growth; be a developmentally appropriate, valid, and reliable
3652 direct assessment; be able to capture data on students who may
3653 be performing below grade or developmental level; accurately
3654 measure the core content in the applicable grade level standards

25-01577A-20

20201688__

3655 and document learning gains for the achievement of these
3656 standards; and provide teachers with progress monitoring
3657 supports and materials that enhance differentiated instruction
3658 and parent communication. Participation in the screening and
3659 progress-monitoring program is mandatory for all students in the
3660 Voluntary Prekindergarten Education Program and in public
3661 schools. The coordinated screening and progress-monitoring
3662 program must be implemented beginning in the 2021-2022 school
3663 year, as follows:

3664 (a) The Voluntary Prekindergarten Education Program through
3665 grade 3 screening and progress-monitoring program must be
3666 administered within the first 30 days after enrollment, midyear,
3667 and within the last 30 days of the program or school year, in
3668 accordance with the rules adopted by the State Board of
3669 Education. The State Board of Education may adopt alternate
3670 timeframes to address nontraditional school year calendars or
3671 summer programs to ensure that of the Voluntary Prekindergarten
3672 Education Program through grade 3 screening and progress-
3673 monitoring is administered at least 3 times within a year or the
3674 duration of a program.

3675 (b) The results of the Voluntary Prekindergarten Education
3676 Program through grade 3 screening and progress-monitoring
3677 program must be reported to the department in accordance with
3678 rule of the State Board of Education, and maintained in the
3679 department's Education Data Warehouse.

3680 (3) The Commissioner of Education shall:

3681 (a) Develop a plan, in coordination with the Council for
3682 Early Grade Success, for implementing the Voluntary
3683 Prekindergarten Education Program through grade 3 screening and

25-01577A-20

20201688__

3684 progress-monitoring program in consideration of the timelines
3685 required for the completion of the review of the Next Generation
3686 Sunshine State Standards and the Voluntary Prekindergarten
3687 Education Program standards.

3688 (b) Include a request for funding in the agency's 2021-2022
3689 legislative budget request, and each succeeding budget request,
3690 for procurement and the provision of training to Voluntary
3691 Prekindergarten Education Program providers, early learning
3692 coalitions, and school districts.

3693 (c) Provide any requested data, reports, and information to
3694 the Council for Early Grade Success.

3695 (4) The Council for Early Grade Success, a council as
3696 defined in s. 20.03, is created within the Department of
3697 Education to oversee the coordinated screening and progress-
3698 monitoring program and, except as otherwise provided in this
3699 section, shall operate consistent with s. 20.052.

3700 (a) The council shall review the implementation of,
3701 training for, and outcomes from the coordinated screening and
3702 progress-monitoring program to provide recommendations to the
3703 department that support the state's grade 3 students in reading
3704 at or above grade level. At a minimum, the council shall:

3705 1. Provide recommendations on the implementation of the
3706 coordinated screening and progress-monitoring program, including
3707 reviewing any procurement solicitation documents and criteria
3708 prior to being published.

3709 2. Develop training plans and timelines.

3710 3. Identify appropriate personnel, processes, and
3711 procedures required for the administration of the coordinated
3712 screening and progress-monitoring program.

25-01577A-20

20201688__

3713 4. Provide input on the methodology for calculating a
3714 provider's or school's performance metric and the grading system
3715 pursuant to s. 1002.67.

3716 5. Work with the department to identify a methodology for
3717 determining a child's kindergarten readiness.

3718 6. Review data on age-appropriate learning gains by grade
3719 level that a student would need to attain in order to
3720 demonstrate proficiency in reading by grade 3.

3721 7. Continually review anonymized data from the results of
3722 the coordinated screening and progress-monitoring program for
3723 students in the Voluntary Prekindergarten Education Program
3724 through grade 3 to help inform recommendations to the department
3725 that support practices that will enable grade 3 students to read
3726 at or above grade level.

3727 (b) The council shall be composed of 15 members, all of
3728 whom must be residents of the state, appointed as follows:

3729 1. One representative of the Department of Education and
3730 one parent of a child who is within the range of 4 to 9 years of
3731 age, both appointed by the Governor.

3732 2. Thirteen members jointly appointed by the President of
3733 the Senate and the Speaker of the House of Representatives, as
3734 follows:

3735 a. One representative of an urban school district.

3736 b. One representative of a rural school district.

3737 c. One representative of an urban early learning coalition.

3738 d. One representative of a rural early learning coalition.

3739 e. One representative of an early learning provider.

3740 f. One representative of a faith-based early learning
3741 provider.

25-01577A-20

20201688__

3742 g. One representative who is a kindergarten teacher who has
3743 at least 5 years of teaching experience.

3744 h. One representative who is a grade 2 teacher who has at
3745 least 5 years of teaching experience.

3746 i. One representative who is a school principal.

3747 j. Four representatives with subject matter expertise in
3748 early learning, early grade success, or child assessments, none
3749 of whom may be a direct stakeholder within the 67 early learning
3750 or public school systems or a potential recipient of a contract
3751 negotiated at the recommendation of the council.

3752 (5) The council shall elect a chair and a vice chair. The
3753 chair must be one of the four members with subject matter
3754 expertise in early learning, early grade success, or child
3755 assessments. The vice chair must be a member appointed by the
3756 President of the Senate and the Speaker of the House of
3757 Representatives who is not one of the four members who are
3758 subject matter experts in early learning, early grade success,
3759 or child assessments. Members of the council shall serve without
3760 compensation but are entitled to reimbursement for per diem and
3761 travel expenses pursuant to s. 112.061.

3762 (6) The council must meet at least biannually and may meet
3763 by teleconference or other electronic means, as possible, to
3764 reduce costs.

3765 (7) A majority of the members constitutes a quorum.

3766 Section 67. Paragraphs (b) and (c) of subsection (5) of
3767 section 1008.25, Florida Statutes, are redesignated as
3768 paragraphs (c) and (d), respectively, paragraph (b) of
3769 subsection (6), subsection (7), and paragraph (a) of subsection
3770 (8) are amended, and a new paragraph (b) is added to subsection

25-01577A-20

20201688__

3771 (5) of that section, to read:

3772 1008.25 Public school student progression; student support;
3773 reporting requirements.—

3774 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3775 (b) Any Voluntary Prekindergarten Education Program student
3776 who exhibits a substantial deficiency in early literacy in
3777 accordance with the standards under s. 1002.67(1)(a) and based
3778 upon the results of the administration of the final progress
3779 monitoring screening in s. 1008.2125 must be referred to the
3780 local school district and may be eligible to receive intensive
3781 reading interventions before participating in kindergarten. The
3782 intensive reading interventions may be paid for using funds from
3783 the district's research-based reading instruction allocation in
3784 accordance with s. 1011.62(9).

3785 (6) ELIMINATION OF SOCIAL PROMOTION.—

3786 (b) The district school board may only exempt students from
3787 mandatory retention, as provided in paragraph (5)(c) ~~paragraph~~
3788 ~~(5)(b)~~, for good cause. A student who is promoted to grade 4
3789 with a good cause exemption shall be provided intensive reading
3790 instruction and intervention that include specialized diagnostic
3791 information and specific reading strategies to meet the needs of
3792 each student so promoted. The school district shall assist
3793 schools and teachers with the implementation of explicit,
3794 systematic, and multisensory reading instruction and
3795 intervention strategies for students promoted with a good cause
3796 exemption which research has shown to be successful in improving
3797 reading among students who have reading difficulties. Good cause
3798 exemptions are limited to the following:

3799 1. Limited English proficient students who have had less

25-01577A-20

20201688__

3800 than 2 years of instruction in an English for Speakers of Other
3801 Languages program based on the initial date of entry into a
3802 school in the United States.

3803 2. Students with disabilities whose individual education
3804 plan indicates that participation in the statewide assessment
3805 program is not appropriate, consistent with the requirements of
3806 s. 1008.212.

3807 3. Students who demonstrate an acceptable level of
3808 performance on an alternative standardized reading or English
3809 Language Arts assessment approved by the State Board of
3810 Education.

3811 4. A student who demonstrates through a student portfolio
3812 that he or she is performing at least at Level 2 on the
3813 statewide, standardized English Language Arts assessment.

3814 5. Students with disabilities who take the statewide,
3815 standardized English Language Arts assessment and who have an
3816 individual education plan or a Section 504 plan that reflects
3817 that the student has received intensive instruction in reading
3818 or English Language Arts for more than 2 years but still
3819 demonstrates a deficiency and was previously retained in
3820 kindergarten, grade 1, grade 2, or grade 3.

3821 6. Students who have received intensive reading
3822 intervention for 2 or more years but still demonstrate a
3823 deficiency in reading and who were previously retained in
3824 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
3825 years. A student may not be retained more than once in grade 3.

3826 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
3827 STUDENTS.—

3828 (a) Students retained under paragraph (5) (c) ~~paragraph~~

25-01577A-20

20201688__

3829 ~~(5)(b)~~ must be provided intensive interventions in reading to
3830 ameliorate the student's specific reading deficiency and prepare
3831 the student for promotion to the next grade. These interventions
3832 must include:

3833 1. Evidence-based, explicit, systematic, and multisensory
3834 reading instruction in phonemic awareness, phonics, fluency,
3835 vocabulary, and comprehension and other strategies prescribed by
3836 the school district.

3837 2. Participation in the school district's summer reading
3838 camp, which must incorporate the instructional and intervention
3839 strategies under subparagraph 1.

3840 3. A minimum of 90 minutes of daily, uninterrupted reading
3841 instruction incorporating the instructional and intervention
3842 strategies under subparagraph 1. This instruction may include:

3843 a. Integration of content-rich texts in science and social
3844 studies within the 90-minute block.

3845 b. Small group instruction.

3846 c. Reduced teacher-student ratios.

3847 d. More frequent progress monitoring.

3848 e. Tutoring or mentoring.

3849 f. Transition classes containing 3rd and 4th grade
3850 students.

3851 g. Extended school day, week, or year.

3852 (b) Each school district shall:

3853 1. Provide written notification to the parent of a student
3854 who is retained under paragraph (5)(c) ~~paragraph (5)(b)~~ that his
3855 or her child has not met the proficiency level required for
3856 promotion and the reasons the child is not eligible for a good
3857 cause exemption as provided in paragraph (6)(b). The

25-01577A-20

20201688__

3858 notification must comply with paragraph (5) (d) ~~paragraph (5) (c)~~
3859 and must include a description of proposed interventions and
3860 supports that will be provided to the child to remediate the
3861 identified areas of reading deficiency.

3862 2. Implement a policy for the midyear promotion of a
3863 student retained under paragraph (5) (c) ~~paragraph (5) (b)~~ who can
3864 demonstrate that he or she is a successful and independent
3865 reader and performing at or above grade level in reading or,
3866 upon implementation of English Language Arts assessments,
3867 performing at or above grade level in English Language Arts.
3868 Tools that school districts may use in reevaluating a student
3869 retained may include subsequent assessments, alternative
3870 assessments, and portfolio reviews, in accordance with rules of
3871 the State Board of Education. Students promoted during the
3872 school year after November 1 must demonstrate proficiency levels
3873 in reading equivalent to the level necessary for the beginning
3874 of grade 4. The rules adopted by the State Board of Education
3875 must include standards that provide a reasonable expectation
3876 that the student's progress is sufficient to master appropriate
3877 grade 4 level reading skills.

3878 3. Provide students who are retained under paragraph (5) (c)
3879 ~~paragraph (5) (b)~~, including students participating in the school
3880 district's summer reading camp under subparagraph (a)2., with a
3881 highly effective teacher as determined by the teacher's
3882 performance evaluation under s. 1012.34, and, beginning July 1,
3883 2020, the teacher must also be certified or endorsed in reading.

3884 4. Establish at each school, when applicable, an intensive
3885 reading acceleration course for any student retained in grade 3
3886 who was previously retained in kindergarten, grade 1, or grade

25-01577A-20

20201688__

3887 2. The intensive reading acceleration course must provide the
3888 following:

3889 a. Uninterrupted reading instruction for the majority of
3890 student contact time each day and opportunities to master the
3891 grade 4 Next Generation Sunshine State Standards in other core
3892 subject areas through content-rich texts.

3893 b. Small group instruction.

3894 c. Reduced teacher-student ratios.

3895 d. The use of explicit, systematic, and multisensory
3896 reading interventions, including intensive language, phonics,
3897 and vocabulary instruction, and use of a speech-language
3898 therapist if necessary, that have proven results in accelerating
3899 student reading achievement within the same school year.

3900 e. A read-at-home plan.

3901 (8) ANNUAL REPORT.—

3902 (a) In addition to the requirements in paragraph (5) (c)
3903 ~~paragraph (5) (b)~~, each district school board must annually
3904 report to the parent of each student the progress of the student
3905 toward achieving state and district expectations for proficiency
3906 in English Language Arts, science, social studies, and
3907 mathematics. The district school board must report to the parent
3908 the student's results on each statewide, standardized
3909 assessment. The evaluation of each student's progress must be
3910 based upon the student's classroom work, observations, tests,
3911 district and state assessments, response to intensive
3912 interventions provided under paragraph (5) (a), and other
3913 relevant information. Progress reporting must be provided to the
3914 parent in writing in a format adopted by the district school
3915 board.

25-01577A-20

20201688__

3916 Section 68. Section 1008.31, Florida Statutes, is amended
3917 to read:

3918 1008.31 Florida's Early Learning-20 ~~K-20~~ education
3919 performance accountability system; legislative intent; mission,
3920 goals, and systemwide measures; data quality improvements.—

3921 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
3922 that:

3923 (a) The performance accountability system implemented to
3924 assess the effectiveness of Florida's seamless Early Learning-20
3925 ~~K-20~~ education delivery system provide answers to the following
3926 questions in relation to its mission and goals:

3927 1. What is the public receiving in return for funds it
3928 invests in education?

3929 2. How effectively is Florida's Early Learning-20 ~~K-20~~
3930 education system educating its students?

3931 3. How effectively are the major delivery sectors promoting
3932 student achievement?

3933 4. How are individual schools and postsecondary education
3934 institutions performing their responsibility to educate their
3935 students as measured by how students are performing and how much
3936 they are learning?

3937 (b) The Early Learning-20 ~~K-20~~ education performance
3938 accountability system be established as a single, unified
3939 accountability system with multiple components, including, but
3940 not limited to, student performance in public schools and school
3941 and district grades.

3942 (c) The Early Learning-20 ~~K-20~~ education performance
3943 accountability system comply with the requirements of the "No
3944 Child Left Behind Act of 2001," Pub. L. No. 107-110, and the

25-01577A-20

20201688__

3945 Individuals with Disabilities Education Act (IDEA).

3946 (d) The early learning accountability system comply with
 3947 the requirements of Part V and Part VI of chapter 1002 and the
 3948 requirements of the Child Care and Development Block Grant Trust
 3949 Fund, pursuant to 45 C.F.R. parts 98 and 99.

3950 (e)~~(d)~~ The State Board of Education and the Board of
 3951 Governors of the State University System recommend to the
 3952 Legislature systemwide performance standards; the Legislature
 3953 establish systemwide performance measures and standards; and the
 3954 systemwide measures and standards provide Floridians with
 3955 information on what the public is receiving in return for the
 3956 funds it invests in education and how well the Early Learning-20
 3957 ~~K-20~~ system educates its students.

3958 (f)1.~~(e)1.~~ The State Board of Education establish
 3959 performance measures and set performance standards for
 3960 individual public schools and Florida College System
 3961 institutions, with measures and standards based primarily on
 3962 student achievement.

3963 2. The Board of Governors of the State University System
 3964 establish performance measures and set performance standards for
 3965 individual state universities, including actual completion
 3966 rates.

3967 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.—

3968 (a) The mission of Florida's Early Learning-20 ~~K-20~~
 3969 education system shall be to increase the proficiency of all
 3970 students within one seamless, efficient system, by allowing them
 3971 the opportunity to expand their knowledge and skills through
 3972 learning opportunities and research valued by students, parents,
 3973 and communities.

25-01577A-20

20201688__

- 3974 (b) The process for establishing state and sector-specific
3975 standards and measures must be:
- 3976 1. Focused on student success.
 - 3977 2. Addressable through policy and program changes.
 - 3978 3. Efficient and of high quality.
 - 3979 4. Measurable over time.
 - 3980 5. Simple to explain and display to the public.
 - 3981 6. Aligned with other measures and other sectors to support
3982 a coordinated Early Learning-20 ~~K-20~~ education system.
- 3983 (c) The Department of Education shall maintain an
3984 accountability system that measures student progress toward the
3985 following goals:
- 3986 1. Highest student achievement, as indicated by evidence of
3987 student learning gains at all levels.
 - 3988 2. Seamless articulation and maximum access, as measured by
3989 evidence of progression, readiness, and access by targeted
3990 groups of students identified by the Commissioner of Education.
 - 3991 3. Skilled workforce and economic development, as measured
3992 by evidence of employment and earnings.
 - 3993 4. Quality efficient services, as measured by evidence of
3994 return on investment.
 - 3995 5. Other goals as identified by law or rule.
- 3996 (3) ~~K-20~~ EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
3997 data required to implement education performance accountability
3998 measures in state and federal law, the Commissioner of Education
3999 shall initiate and maintain strategies to improve data quality
4000 and timeliness. The Board of Governors shall make available to
4001 the department all data within the State University Database
4002 System to be integrated into the education ~~K-20~~ data warehouse.

25-01577A-20

20201688__

4003 The commissioner shall have unlimited access to such data for
4004 the purposes of conducting studies, reporting annual and
4005 longitudinal student outcomes, and improving college readiness
4006 and articulation. All public educational institutions shall
4007 annually provide data from the prior year to the education ~~K-20~~
4008 data warehouse in a format based on data elements identified by
4009 the commissioner.

4010 (a) School districts and public postsecondary educational
4011 institutions shall maintain information systems that will
4012 provide the State Board of Education, the Board of Governors of
4013 the State University System, and the Legislature with
4014 information and reports necessary to address the specifications
4015 of the accountability system. The level of comprehensiveness and
4016 quality must be no less than that which was available as of June
4017 30, 2001.

4018 (b) Colleges and universities eligible to participate in
4019 the William L. Boyd, IV, Effective Access to Student Education
4020 Grant Program shall annually report student-level data from the
4021 prior year for each student who receives state funds in a format
4022 prescribed by the Department of Education. At a minimum, data
4023 from the prior year must include retention rates, transfer
4024 rates, completion rates, graduation rates, employment and
4025 placement rates, and earnings of graduates. By October 1 of each
4026 year, the colleges and universities described in this paragraph
4027 shall report the data to the department.

4028 (c) The Commissioner of Education shall determine the
4029 standards for the required data, monitor data quality, and
4030 measure improvements. The commissioner shall report annually to
4031 the State Board of Education, the Board of Governors of the

25-01577A-20

20201688__

4032 State University System, the President of the Senate, and the
4033 Speaker of the House of Representatives data quality indicators
4034 and ratings for all school districts and public postsecondary
4035 educational institutions.

4036 (d) Before establishing any new reporting or data
4037 collection requirements, the commissioner shall use existing
4038 data being collected to reduce duplication and minimize
4039 paperwork.

4040 (4) RULES.—The State Board of Education shall adopt rules
4041 pursuant to ss. 120.536(1) and 120.54 to implement the
4042 provisions of this section relating to the education ~~K-20~~ data
4043 warehouse.

4044 Section 69. Section 1008.32, Florida Statutes, is amended
4045 to read:

4046 1008.32 State Board of Education oversight enforcement
4047 authority.—The State Board of Education shall oversee the
4048 performance of early learning coalitions, district school
4049 boards, and Florida College System institution boards of
4050 trustees in enforcement of all laws and rules. District school
4051 boards and Florida College System institution boards of trustees
4052 shall be primarily responsible for compliance with law and state
4053 board rule.

4054 (1) In order to ensure compliance with law or state board
4055 rule, the State Board of Education shall have the authority to
4056 request and receive information, data, and reports from early
4057 learning coalitions, school districts, and Florida College
4058 System institutions. Early Learning Coalition chief executive
4059 officers or executive directors, district school
4060 superintendents, and Florida College System institution

25-01577A-20

20201688__

4061 presidents are responsible for the accuracy of the information
4062 and data reported to the state board.

4063 (2) (a) The Commissioner of Education may investigate
4064 allegations of noncompliance with law or state board rule and
4065 determine probable cause. The commissioner shall report
4066 determinations of probable cause to the State Board of Education
4067 which shall require the early learning coalition, district
4068 school board, or Florida College System institution board of
4069 trustees to document compliance with law or state board rule.

4070 (b) The Commissioner of Education shall report to the State
4071 Board of Education any findings by the Auditor General that an
4072 early learning coalition, a district school board, or a Florida
4073 College System institution is acting without statutory authority
4074 or contrary to general law. The State Board of Education shall
4075 require the early learning coalition, district school board, or
4076 Florida College System institution board of trustees to document
4077 compliance with such law.

4078 (3) If the early learning coalition, district school board,
4079 or Florida College System institution board of trustees cannot
4080 satisfactorily document compliance, the State Board of Education
4081 may order compliance within a specified timeframe.

4082 (4) If the State Board of Education determines that an
4083 early learning coalition, a district school board, or a Florida
4084 College System institution board of trustees is unwilling or
4085 unable to comply with law or state board rule within the
4086 specified time, the state board shall have the authority to
4087 initiate any of the following actions:

4088 (a) Report to the Legislature that the early learning
4089 coalition, school district, or Florida College System

25-01577A-20

20201688__

4090 institution is unwilling or unable to comply with law or state
4091 board rule and recommend action to be taken by the Legislature.

4092 (b) Withhold the transfer of state funds, discretionary
4093 grant funds, discretionary lottery funds, or any other funds
4094 specified as eligible for this purpose by the Legislature until
4095 the early learning coalition, school district, or Florida
4096 College System institution complies with the law or state board
4097 rule.

4098 (c) Declare the early learning coalition, school district,
4099 or Florida College System institution ineligible for competitive
4100 grants.

4101 (d) Require monthly or periodic reporting on the situation
4102 related to noncompliance until it is remedied.

4103 (5) Nothing in this section shall be construed to create a
4104 private cause of action or create any rights for individuals or
4105 entities in addition to those provided elsewhere in law or rule.

4106 Section 70. Paragraph (a) of subsection (3) of section
4107 1008.33, Florida Statutes, is amended to read:

4108 1008.33 Authority to enforce public school improvement.—

4109 (3) (a) The academic performance of all students has a
4110 significant effect on the state school system. Pursuant to Art.
4111 IX of the State Constitution, which prescribes the duty of the
4112 State Board of Education to supervise Florida's public school
4113 system, the state board shall equitably enforce the
4114 accountability requirements of the state school system and may
4115 impose state requirements on school districts in order to
4116 improve the academic performance of all districts, schools, and
4117 students based upon the provisions of the Florida Early
4118 Learning-20 ~~K-20~~ Education Code, chapters 1000-1013; the federal

25-01577A-20

20201688__

4119 ESEA and its implementing regulations; and the ESEA flexibility
4120 waiver approved for Florida by the United States Secretary of
4121 Education.

4122 Section 71. Subsection (9) of section 1011.62, Florida
4123 Statutes, is amended to read:

4124 1011.62 Funds for operation of schools.—If the annual
4125 allocation from the Florida Education Finance Program to each
4126 district for operation of schools is not determined in the
4127 annual appropriations act or the substantive bill implementing
4128 the annual appropriations act, it shall be determined as
4129 follows:

4130 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

4131 (a) The research-based reading instruction allocation is
4132 created to provide comprehensive reading instruction to students
4133 in kindergarten through grade 12, including certain students who
4134 exhibit a substantial deficiency in early literacy and completed
4135 the Voluntary Prekindergarten Education Program pursuant to s.
4136 1008.25(5)(b). Each school district that has one or more of the
4137 300 lowest-performing elementary schools based on a 3-year
4138 average of the state reading assessment data must use the
4139 school's portion of the allocation to provide an additional hour
4140 per day of intensive reading instruction for the students in
4141 each school. The additional hour may be provided within the
4142 school day. Students enrolled in these schools who earned a
4143 level 4 or level 5 score on the statewide, standardized English
4144 Language Arts assessment for the previous school year may
4145 participate in the additional hour of instruction. Exceptional
4146 student education centers may not be included in the 300
4147 schools. The intensive reading instruction delivered in this

25-01577A-20

20201688__

4148 additional hour shall include: research-based reading
4149 instruction that has been proven to accelerate progress of
4150 students exhibiting a reading deficiency; differentiated
4151 instruction based on screening, diagnostic, progress monitoring,
4152 or student assessment data to meet students' specific reading
4153 needs; explicit and systematic reading strategies to develop
4154 phonemic awareness, phonics, fluency, vocabulary, and
4155 comprehension, with more extensive opportunities for guided
4156 practice, error correction, and feedback; and the integration of
4157 social studies, science, and mathematics-text reading, text
4158 discussion, and writing in response to reading.

4159 (b) Funds for comprehensive, research-based reading
4160 instruction shall be allocated annually to each school district
4161 in the amount provided in the General Appropriations Act. Each
4162 eligible school district shall receive the same minimum amount
4163 as specified in the General Appropriations Act, and any
4164 remaining funds shall be distributed to eligible school
4165 districts based on each school district's proportionate share of
4166 K-12 base funding.

4167 (c) Funds allocated under this subsection must be used to
4168 provide a system of comprehensive reading instruction to
4169 students enrolled in the K-12 programs and certain students who
4170 exhibit a substantial deficiency in early literacy and completed
4171 the Voluntary Prekindergarten Education Program pursuant to s.
4172 1008.25(5)(b). The system, ~~which~~ may include the following:

4173 1. An additional hour per day of intensive reading
4174 instruction to students in the 300 lowest-performing elementary
4175 schools by teachers and reading specialists who have
4176 demonstrated effectiveness in teaching reading as required in

25-01577A-20

20201688__

4177 paragraph (a).

4178 2. Kindergarten through grade 5 reading intervention
4179 teachers to provide intensive intervention during the school day
4180 and in the required extra hour for students identified as having
4181 a reading deficiency.

4182 3. Highly qualified reading coaches to specifically support
4183 teachers in making instructional decisions based on student
4184 data, and improve teacher delivery of effective reading
4185 instruction, intervention, and reading in the content areas
4186 based on student need.

4187 4. Professional development for school district teachers in
4188 scientifically based reading instruction, including strategies
4189 to teach reading in content areas and with an emphasis on
4190 technical and informational text, to help school district
4191 teachers earn a certification or an endorsement in reading.

4192 5. Summer reading camps, using only teachers or other
4193 district personnel who are certified or endorsed in reading
4194 consistent with s. 1008.25(7)(b)3., for all students in
4195 kindergarten through grade 2 who demonstrate a reading
4196 deficiency as determined by district and state assessments; ~~and~~
4197 students in grades 3 through 5 who score at Level 1 on the
4198 statewide, standardized English Language Arts assessment; and
4199 certain students who exhibit a substantial deficiency in early
4200 literacy and completed the Voluntary Prekindergarten Education
4201 Program pursuant to s. 1008.25(5)(b).

4202 6. Supplemental instructional materials that are grounded
4203 in scientifically based reading research as identified by the
4204 Just Read, Florida! Office pursuant to s. 1001.215(8).

4205 7. Intensive interventions for students in kindergarten

25-01577A-20

20201688__

4206 through grade 12 who have been identified as having a reading
4207 deficiency or who are reading below grade level as determined by
4208 the statewide, standardized English Language Arts assessment or
4209 for certain students who exhibit a substantial deficiency in
4210 early literacy and completed the Voluntary Prekindergarten
4211 Education Program pursuant to s. 1008.25(5)(b).

4212 (d)1. Annually, by a date determined by the Department of
4213 Education but before May 1, school districts shall submit a ~~K-12~~
4214 comprehensive reading plan for the specific use of the research-
4215 based reading instruction allocation in the format prescribed by
4216 the department for review and approval by the Just Read,
4217 Florida! Office created pursuant to s. 1001.215. The plan
4218 annually submitted by school districts shall be deemed approved
4219 unless the department rejects the plan on or before June 1. If a
4220 school district and the Just Read, Florida! Office cannot reach
4221 agreement on the contents of the plan, the school district may
4222 appeal to the State Board of Education for resolution. School
4223 districts shall be allowed reasonable flexibility in designing
4224 their plans and shall be encouraged to offer reading
4225 intervention through innovative methods, including career
4226 academies. The plan format shall be developed with input from
4227 school district personnel, including teachers and principals,
4228 and shall provide for intensive reading interventions through
4229 integrated curricula, provided that, beginning with the 2020-
4230 2021 school year, the interventions are delivered by a teacher
4231 who is certified or endorsed in reading. Such interventions must
4232 incorporate strategies identified by the Just Read, Florida!
4233 Office pursuant to s. 1001.215(8). No later than July 1
4234 annually, the department shall release the school district's

25-01577A-20

20201688__

4235 allocation of appropriated funds to those districts having
4236 approved plans. A school district that spends 100 percent of
4237 this allocation on its approved plan shall be deemed to have
4238 been in compliance with the plan. The department may withhold
4239 funds upon a determination that reading instruction allocation
4240 funds are not being used to implement the approved plan. The
4241 department shall monitor and track the implementation of each
4242 district plan, including conducting site visits and collecting
4243 specific data on expenditures and reading improvement results.
4244 By February 1 of each year, the department shall report its
4245 findings to the Legislature.

4246 2. Each school district that has a school designated as one
4247 of the 300 lowest-performing elementary schools as specified in
4248 paragraph (a) shall specifically delineate in the comprehensive
4249 reading plan, or in an addendum to the comprehensive reading
4250 plan, the implementation design and reading intervention
4251 strategies that will be used for the required additional hour of
4252 reading instruction. The term "reading intervention" includes
4253 evidence-based strategies frequently used to remediate reading
4254 deficiencies and also includes individual instruction, tutoring,
4255 mentoring, or the use of technology that targets specific
4256 reading skills and abilities.

4257 Section 72. Paragraph (b) of subsection (1) of section
4258 1002.22, Florida Statutes, is amended to read:

4259 1002.22 Education records and reports of K-12 students;
4260 rights of parents and students; notification; penalty.—

4261 (1) DEFINITIONS.—As used in this section, the term:

4262 (b) "Institution" means any public school, center,
4263 institution, or other entity that is part of Florida's education

25-01577A-20

20201688__

4264 system under s. 1000.04(2), (4), and (5) ~~s. 1000.04(1), (3), and~~
4265 ~~(4)~~.

4266 Section 73. Paragraph (b) of subsection (5) of section
4267 1002.53, Florida Statutes, is amended to read:

4268 1002.53 Voluntary Prekindergarten Education Program;
4269 eligibility and enrollment.—

4270 (5) The early learning coalition shall provide each parent
4271 enrolling a child in the Voluntary Prekindergarten Education
4272 Program with a profile of every private prekindergarten provider
4273 and public school delivering the program within the county where
4274 the child is being enrolled. The profiles shall be provided to
4275 parents in a format prescribed by the Office of Early Learning.
4276 The profiles must include, at a minimum, the following
4277 information about each provider and school:

4278 (b) The provider's or school's kindergarten readiness rate
4279 ~~calculated in accordance with s. 1002.69,~~ based upon the most
4280 recent available results of the statewide kindergarten
4281 screening.

4282 Section 74. This act shall take effect July 1, 2020.