

By the Committee on Appropriations; and Senator Harrell

576-04674-21

20211282c1

1 A bill to be entitled
2 An act relating to early learning and early grade
3 success; amending s. 39.604, F.S.; revising approved
4 child care or early education settings for the
5 placement of certain children; conforming a cross-
6 reference; amending ss. 212.08 and 402.26, F.S.;
7 conforming provisions and cross-references to changes
8 made by the act; providing for a type two transfer of
9 the Gold Seal Quality Care program in the Department
10 of Children and Families to the Office of Early
11 Learning; providing for the continuation of certain
12 contracts and interagency agreements; amending ss.
13 402.315 and 1001.213, F.S.; conforming cross-
14 references; amending ss. 1001.215 and 1001.23, F.S.;
15 conforming provisions to changes made by the act;
16 amending s. 1002.32, F.S.; conforming cross-
17 references; amending s. 1002.53, F.S.; revising the
18 requirements for certain program provider profiles;
19 requiring each parent who enrolls his or her child in
20 the Voluntary Prekindergarten Education Program to
21 allow his or her child to participate in a specified
22 screening and progress monitoring program; amending s.
23 1002.55, F.S.; authorizing certain child development
24 programs operating on a military installation to be
25 private prekindergarten providers within the Voluntary
26 Prekindergarten Education Program; providing that a
27 private prekindergarten provider is ineligible for
28 participation in the program under certain
29 circumstances; revising requirements for

576-04674-21

20211282c1

30 prekindergarten instructors; revising requirements for
31 specified courses for prekindergarten instructors;
32 providing that a private school administrator who
33 holds a specified certificate meets certain credential
34 requirements; providing liability insurance
35 requirements for child development programs operating
36 on a military installation participating in the
37 program; requiring early learning coalitions to verify
38 private prekindergarten provider compliance with
39 specified provisions; requiring such coalitions to
40 remove a provider's eligibility under specified
41 circumstances; conforming provisions to changes made
42 by the act; amending s. 1002.57, F.S.; revising the
43 minimum standards for a credential for certain
44 prekindergarten directors; amending s. 1002.59, F.S.;
45 revising requirements for emergent literacy and
46 performance standards training courses for
47 prekindergarten instructors; requiring the department
48 to make certain courses available online; amending s.
49 1002.61, F.S.; authorizing certain child development
50 programs operating on a military installation to be
51 private prekindergarten providers within the summer
52 Voluntary Prekindergarten Education Program;
53 conforming a provision to changes made by the act;
54 revising the criteria for a teacher to receive
55 priority for the summer program in a school district;
56 requiring a child development program operating on a
57 military installation to comply with specified
58 criteria; requiring early learning coalitions to

576-04674-21

20211282c1

59 verify specified information; providing for the
60 removal of a program provider or public school from
61 eligibility under certain circumstances; amending s.
62 1002.63, F.S.; conforming a provision to changes made
63 by the act; requiring early learning coalitions to
64 verify specified information; providing for the
65 removal of public schools from the program under
66 certain circumstances; amending s. 1002.67, F.S.;
67 revising the performance standards for the Voluntary
68 Prekindergarten Education Program; requiring the
69 department to review and revise performance standards
70 on a specified schedule; revising curriculum
71 requirements for the program; conforming a provision
72 to changes made by the act; requiring the office to
73 adopt procedures for the review and approval of
74 curricula for the program; deleting a required
75 preassessment and postassessment for the program;
76 creating s. 1002.68, F.S.; requiring providers of the
77 Voluntary Prekindergarten Education Program to
78 participate in a specified screening and progress
79 monitoring program; providing specified uses for the
80 results of such program; requiring certain portions of
81 the screening and progress monitoring program to be
82 administered by individuals who meet specified
83 criteria; requiring the results of the screening and
84 monitoring to be reported to the parents of
85 participating students; requiring providers to
86 participate in a program assessment; providing
87 requirements for such assessments; providing office

576-04674-21

20211282c1

88 duties and responsibilities relating to such
89 assessments; requiring the office to calculate a
90 kindergarten readiness rate for private and public
91 providers during a certain program year; providing the
92 criteria for the calculation; requiring the department
93 to require that each school district administer
94 certain screens for a specified school year;
95 authorizing private schools to administer the
96 screening; specifying the means for determining
97 learning gains; prohibiting a providing from being
98 placed on probationary status; providing an exception;
99 authorizing a provider to be removed from probationary
100 status under certain circumstances; prohibiting
101 kindergarten screening results from being used in the
102 calculation of readiness rates; requiring the office
103 to adopt a methodology for calculating certain
104 performance metrics; providing criteria for the
105 methodology; requiring the office to provide for a
106 differential payment to a private prekindergarten
107 provider and public school based on the provider's
108 designation, subject to appropriation; requiring the
109 office to adopt procedures; providing criteria for the
110 procedures; requiring designations to be displayed in
111 certain profiles; providing procedures for a provider
112 whose score or designation falls below the minimum
113 requirement; providing for the revocation of program
114 eligibility for a provider; authorizing the department
115 to grant good cause exemptions to providers under
116 certain circumstances; providing office and provider

576-04674-21

20211282c1

117 requirements for such exemptions; requiring an annual
118 meeting of representatives from specified entities to
119 develop certain strategies; repealing s. 1002.69,
120 F.S., relating to statewide kindergarten screening and
121 readiness rates; amending s. 1002.73, F.S.; requiring
122 the office to adopt a statewide provider contract;
123 requiring such contract to be published on the
124 office's website; providing requirements for such
125 contract; prohibiting providers from offering services
126 during an appeal of termination from the program;
127 providing applicability; requiring the office to adopt
128 specified procedures relating to the Voluntary
129 Prekindergarten Education Program; providing duties of
130 the office relating to such program; repealing s.
131 1002.75, F.S., relating to the powers and duties of
132 the Office of Early Learning; amending 1002.81, F.S.;
133 conforming provisions and cross-references to changes
134 made by the act; amending s. 1002.82, F.S.; providing
135 duties of the office relating to early learning;
136 authorizing an alternative model for the calculation
137 of prevailing market rate; exempting certain child
138 development programs operating on a military
139 installation from specified inspection requirements;
140 requiring the office to monitor specified standards
141 and benchmarks for certain purposes; revising the age
142 range used for specified standards; requiring the
143 office to provide specified technical support;
144 revising requirements for a specified assessment
145 program; requiring the office to adopt requirements to

576-04674-21

20211282c1

146 make certain contracted slots available to serve
147 specified populations; requiring the office to adopt
148 certain standards and outcome measures including
149 specified surveys; requiring the office to adopt
150 procedures for the merging of early learning
151 coalitions; revising the requirements for a specified
152 report; amending s. 1002.83, F.S.; revising the number
153 of authorized early learning coalitions; revising the
154 number of and requirements for members of an early
155 learning coalition; revising and adding requirements
156 for such coalitions; amending s. 1002.84, F.S.;
157 revising early learning coalition responsibilities and
158 duties; conforming a cross-reference; revising
159 requirements for the waiver of specified copayments;
160 amending s. 1002.85, F.S.; conforming a cross-
161 reference; revising the requirements for school
162 readiness program plans; amending s. 1002.88, F.S.;
163 authorizing certain child development programs
164 operating on military installations to participate in
165 the school readiness program; revising requirements to
166 deliver such program; providing that a specified
167 annual inspection for a child development program
168 participating in the school readiness program meets
169 certain provider requirements; providing requirements
170 for a child development program to meet certain
171 liability requirements; amending s. 1002.895, F.S.;
172 requiring the office to adopt certain procedures until
173 a specified event; conforming provisions to changes
174 made by the act; amending s. 1002.92, F.S.; conforming

576-04674-21

20211282c1

175 a cross-reference; revising the requirements for
176 specified services that child care resource and
177 referral agencies must provide; transferring,
178 renumbering, and amending s. 402.281, F.S.; revising
179 the requirements of the Gold Seal Quality Care
180 program; requiring the Office of Early Learning to
181 adopt specified rules; revising accrediting
182 association requirements; providing requirements for
183 accrediting associations; requiring the department to
184 establish a specified process; providing requirements
185 for such process; deleting a requirement for the
186 department to consult certain entities for specified
187 purposes; providing requirements for certain providers
188 to maintain Gold Seal Quality Care status; providing
189 exemptions to certain ad valorem taxes; providing rate
190 differentials to certain providers; creating s.
191 1008.2125, F.S.; creating the coordinated screening
192 and progress monitoring program within the department
193 for specified purposes; requiring the Commissioner of
194 Education to design such program; providing
195 requirements for the administration of such program
196 and the use of results from the program; providing
197 requirements for the commissioner; creating the
198 Council for Early Grade Success within the department;
199 providing duties of the council; providing membership
200 of the council; requiring the council to elect a chair
201 and a vice chair; providing requirements for such
202 appointments; providing for per diem for members of
203 the council; providing meeting requirements for the

576-04674-21

20211282c1

204 council; providing for a quorum of the council;
205 amending s. 1008.25, F.S.; authorizing certain
206 students enrolled in the Voluntary Prekindergarten
207 Education Program to receive intensive reading
208 interventions using specified funds; amending s.
209 1011.62, F.S.; revising the research-based reading
210 instruction allocation to authorize the use of such
211 funds for certain intensive reading interventions for
212 certain students; revising the requirements for
213 specified reading instruction and interventions;
214 defining the term "evidence-based"; providing an
215 effective date.

216

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

218

219 Section 1. Paragraph (b) of subsection (5) of section
220 39.604, Florida Statutes, is amended to read:

221 39.604 Rilya Wilson Act; short title; legislative intent;
222 child care; early education; preschool.—

223 (5) EDUCATIONAL STABILITY.—Just as educational stability is
224 important for school-age children, it is also important to
225 minimize disruptions to secure attachments and stable
226 relationships with supportive caregivers of children from birth
227 to school age and to ensure that these attachments are not
228 disrupted due to placement in out-of-home care or subsequent
229 changes in out-of-home placement.

230 (b) If it is not in the best interest of the child for him
231 or her to remain in his or her child care or early education
232 setting upon entry into out-of-home care, the caregiver must

576-04674-21

20211282c1

233 work with the case manager, guardian ad litem, child care and
234 educational staff, and educational surrogate, if one has been
235 appointed, to determine the best setting for the child. Such
236 setting may be a child care provider that receives a Gold Seal
237 Quality Care designation pursuant to s. 1002.945 ~~s. 402.281~~, a
238 ~~provider participating in a quality rating system~~, a licensed
239 child care provider, a public school provider, or a license-
240 exempt child care provider, including religious-exempt and
241 registered providers, and nonpublic schools.

242 Section 2. Paragraph (m) of subsection (5) of section
243 212.08, Florida Statutes, is amended to read:

244 212.08 Sales, rental, use, consumption, distribution, and
245 storage tax; specified exemptions.—The sale at retail, the
246 rental, the use, the consumption, the distribution, and the
247 storage to be used or consumed in this state of the following
248 are hereby specifically exempt from the tax imposed by this
249 chapter.

250 (5) EXEMPTIONS; ACCOUNT OF USE.—

251 (m) *Educational materials purchased by certain child care*
252 *facilities*.—Educational materials, such as glue, paper, paints,
253 crayons, unique craft items, scissors, books, and educational
254 toys, purchased by a child care facility that meets the
255 standards delineated in s. 402.305, is licensed under s.
256 402.308, holds a current Gold Seal Quality Care designation
257 pursuant to s. 1002.945 ~~s. 402.281~~, and provides basic health
258 insurance to all employees are exempt from the taxes imposed by
259 this chapter. For purposes of this paragraph, the term “basic
260 health insurance” shall be defined and promulgated in rules
261 developed jointly by the Office of Early Learning ~~Department of~~

576-04674-21

20211282c1

262 ~~Children and Families~~, the Agency for Health Care
263 Administration, and the Financial Services Commission.

264 Section 3. Subsection (6) of section 402.26, Florida
265 Statutes, is amended to read:

266 402.26 Child care; legislative intent.—

267 ~~(6) It is the intent of the Legislature that a child care~~
268 ~~facility licensed pursuant to s. 402.305 or a child care~~
269 ~~facility exempt from licensing pursuant to s. 402.316, that~~
270 ~~achieves Gold Seal Quality status pursuant to s. 402.281, be~~
271 ~~considered an educational institution for the purpose of~~
272 ~~qualifying for exemption from ad valorem tax pursuant to s.~~
273 ~~196.198.~~

274 Section 4. Type two transfer from the Department of
275 Children and Families.—

276 (1) All powers, duties, functions, records, offices,
277 personnel, associated administrative support positions,
278 property, pending issues, existing contracts, administrative
279 authority, administrative rules, and unexpended balances of
280 appropriations, allocations, and other funds relating to the
281 Gold Seal Quality Care program within the Department of Children
282 and Families are transferred by a type two transfer, as defined
283 in s. 20.06(2), Florida Statutes, to the Office of Early
284 Learning.

285 (2) Any binding contract or interagency agreement existing
286 before July 1, 2020, between the Department of Children and
287 Families, or an entity or agent of the department, and any other
288 agency, entity, or person relating to the Gold Seal Quality Care
289 program shall continue as a binding contract or agreement for
290 the remainder of the term of such contract or agreement on the

576-04674-21

20211282c1

291 successor entity responsible for the program, activity, or
292 functions relative to the contract or agreement.

293 Section 5. Subsection (5) of section 402.315, Florida
294 Statutes, is amended to read:

295 402.315 Funding; license fees.—

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

301 Section 6. Subsection (4) of section 1001.213, Florida
302 Statutes, is amended to read:

303 1001.213 Office of Early Learning.—There is created within
304 the Office of Independent Education and Parental Choice the
305 Office of Early Learning, as required under s. 20.15, which
306 shall be administered by an executive director. The office shall
307 be fully accountable to the Commissioner of Education but shall:

308 (4) In compliance with parts V and VI of chapter 1002 and
309 its powers and duties under s. 1002.73 ~~s. 1002.75~~, administer
310 the Voluntary Prekindergarten Education Program at the state
311 level.

312 Section 7. Subsection (7) of section 1001.215, Florida
313 Statutes, is amended to read:

314 1001.215 Just Read, Florida! Office.—There is created in
315 the Department of Education the Just Read, Florida! Office. The
316 office is fully accountable to the Commissioner of Education and
317 shall:

318 (7) Review, evaluate, and provide technical assistance to
319 school districts' implementation of the ~~K-12~~ comprehensive

576-04674-21

20211282c1

320 reading plan required in s. 1011.62(9).

321 Section 8. Subsection (1) of section 1001.23, Florida
322 Statutes, is amended to read:

323 1001.23 Specific powers and duties of the Department of
324 Education.—In addition to all other duties assigned to it by law
325 or by rule of the State Board of Education, the department
326 shall:

327 ~~(1) Adopt the statewide kindergarten screening in~~
328 ~~accordance with s. 1002.69.~~

329 Section 9. Subsections (3) and (10) of section 1002.32,
330 Florida Statutes, are amended to read:

331 1002.32 Developmental research (laboratory) schools.—

332 (3) MISSION.—The mission of a lab school shall be the
333 provision of a vehicle for the conduct of research,
334 demonstration, and evaluation regarding management, teaching,
335 and learning. Programs to achieve the mission of a lab school
336 shall embody the goals and standards established pursuant to ss.
337 1000.03(5) and 1001.23(1) ~~1001.23(2)~~ and shall ensure an
338 appropriate education for its students.

339 (a) Each lab school shall emphasize mathematics, science,
340 computer science, and foreign languages. The primary goal of a
341 lab school is to enhance instruction and research in such
342 specialized subjects by using the resources available on a state
343 university campus, while also providing an education in
344 nonspecialized subjects. Each lab school shall provide
345 sequential elementary and secondary instruction where
346 appropriate. A lab school may not provide instruction at grade
347 levels higher than grade 12 without authorization from the State
348 Board of Education. Each lab school shall develop and implement

576-04674-21

20211282c1

349 a school improvement plan pursuant to s. 1003.02(3).

350 (b) Research, demonstration, and evaluation conducted at a
351 lab school may be generated by the college of education and
352 other colleges within the university with which the school is
353 affiliated.

354 (c) Research, demonstration, and evaluation conducted at a
355 lab school may be generated by the State Board of Education.
356 Such research shall respond to the needs of the education
357 community at large, rather than the specific needs of the
358 affiliated college.

359 (d) Research, demonstration, and evaluation conducted at a
360 lab school may consist of pilot projects to be generated by the
361 affiliated college, the State Board of Education, or the
362 Legislature.

363 (e) The exceptional education programs offered at a lab
364 school shall be determined by the research and evaluation goals
365 and the availability of students for efficiently sized programs.
366 The fact that a lab school offers an exceptional education
367 program in no way lessens the general responsibility of the
368 local school district to provide exceptional education programs.

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

373 (a) The methods and requirements of the following statutes
374 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
375 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;
376 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
377 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;

576-04674-21

20211282c1

378 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
379 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
380 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
381 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
382 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);
383 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
384 1011.73; and 1011.74.

385 (b) With the exception of s. 1001.42(18), s. 1001.42 shall
386 be held in abeyance. Reference to district school boards in s.
387 1001.42(18) shall mean the president of the university or the
388 president's designee.

389 Section 10. Subsection (5) of section 1002.53, Florida
390 Statutes, is amended, and paragraph (d) is added to subsection
391 (6) of that section, to read:

392 1002.53 Voluntary Prekindergarten Education Program;
393 eligibility and enrollment.—

394 (5) The early learning coalition shall provide each parent
395 enrolling a child in the Voluntary Prekindergarten Education
396 Program with a profile of every private prekindergarten provider
397 and public school delivering the program within the county where
398 the child is being enrolled. The profiles shall be provided to
399 parents in a format prescribed by the Office of Early Learning
400 in accordance with s. 1002.92(3). ~~The profiles must include, at~~
401 ~~a minimum, the following information about each provider and~~
402 ~~school:~~

403 ~~(a) The provider's or school's services, curriculum,~~
404 ~~instructor credentials, and instructor to student ratio; and~~
405 ~~(b) The provider's or school's kindergarten readiness rate~~
406 ~~calculated in accordance with s. 1002.69, based upon the most~~

576-04674-21

20211282c1

407 ~~recent available results of the statewide kindergarten~~
408 ~~screening.~~

409 (6)

410 (d) Each parent who enrolls his or her child in the
411 Voluntary Prekindergarten Education Program must allow his or
412 her child to participate in the coordinated screening and
413 progress monitoring program under s. 1008.2125.

414 Section 11. Paragraphs (a), (b), (c), (g), (i), and (l) of
415 subsection (3), subsection (4), and paragraph (b) of subsection
416 (5) of section 1002.55, Florida Statutes, are amended, and
417 subsection (6) is added to that section, to read:

418 1002.55 School-year prekindergarten program delivered by
419 private prekindergarten providers.—

420 (3) To be eligible to deliver the prekindergarten program,
421 a private prekindergarten provider must meet each of the
422 following requirements:

423 (a) The private prekindergarten provider must be a child
424 care facility licensed under s. 402.305, family day care home
425 licensed under s. 402.313, large family child care home licensed
426 under s. 402.3131, nonpublic school exempt from licensure under
427 s. 402.3025(2), ~~or~~ faith-based child care provider exempt from
428 licensure under s. 402.316, child development program accredited
429 by a national accrediting body and operating on a military
430 installation certified by the United States Department of
431 Defense, or private prekindergarten provider issued a
432 provisional license under s. 402.309. A private prekindergarten
433 provider may not deliver the program while holding a probation-
434 status license under s. 402.310.

435 (b) The private prekindergarten provider must:

576-04674-21

20211282c1

436 1. Be accredited by an accrediting association that is a
437 member of the National Council for Private School Accreditation,
438 or the Florida Association of Academic Nonpublic Schools, or be
439 accredited by the Southern Association of Colleges and Schools,
440 or Western Association of Colleges and Schools, or North Central
441 Association of Colleges and Schools, or Middle States
442 Association of Colleges and Schools, or New England Association
443 of Colleges and Schools; and have written accreditation
444 standards that meet or exceed the state's licensing requirements
445 under s. 402.305, s. 402.313, or s. 402.3131 and require at
446 least one onsite visit to the provider or school before
447 accreditation is granted;

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

450 3. Be licensed under s. 402.305, s. 402.313, or s. 402.3131
451 and demonstrate, before delivering the Voluntary Prekindergarten
452 Education Program, as verified by the early learning coalition,
453 that the provider meets each of the requirements of the program
454 under this part, including, but not limited to, the requirements
455 for credentials and background screenings of prekindergarten
456 instructors under paragraphs (c) and (d), minimum and maximum
457 class sizes under paragraph (f), prekindergarten director
458 credentials under paragraph (g), and a developmentally
459 appropriate curriculum under s. 1002.67(2)(b).

460 (c) The private prekindergarten provider must have, for
461 each prekindergarten class of 11 children or fewer, at least one
462 prekindergarten instructor who meets each of the following
463 requirements:

464 1. The prekindergarten instructor must hold, at a minimum,

576-04674-21

20211282c1

465 one of the following credentials:

466 a. A child development associate credential issued by the
467 National Credentialing Program of the Council for Professional
468 Recognition; or

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

472

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

476 2. The prekindergarten instructor must successfully
477 complete at least three ~~an~~ emergent literacy training courses
478 that include developmentally appropriate and experiential
479 learning practices for children ~~course~~ and a student performance
480 standards training course approved by the office as meeting or
481 exceeding the minimum standards adopted under s. 1002.59, and be
482 recognized as part of the informal early learning career pathway
483 identified by the office under s. 1002.995(1)(b). The
484 requirement for completion of the standards training course
485 shall take effect July 1, 2021. ~~Such 2014,~~ ~~and the~~ course shall
486 be available online or in person.

487 (g) The private prekindergarten provider must have a
488 prekindergarten director who has a prekindergarten director
489 credential that is approved by the office as meeting or
490 exceeding the minimum standards adopted under s. 1002.57. A
491 private school administrator who holds a valid certificate in
492 educational leadership issued by the office satisfies the
493 requirement for a prekindergarten director credential under s.

576-04674-21

20211282c1

494 ~~1002.57 Successful completion of a child care facility director~~
495 ~~credential under s. 402.305(2)(g) before the establishment of~~
496 ~~the prekindergarten director credential under s. 1002.57 or July~~
497 ~~1, 2006, whichever occurs later, satisfies the requirement for a~~
498 ~~prekindergarten director credential under this paragraph.~~

499 (i) The private prekindergarten provider must execute the
500 statewide provider contract prescribed under s. 1002.73 ~~s.~~
501 ~~1002.75~~, except that an individual who owns or operates multiple
502 private prekindergarten sites ~~providers~~ within a coalition's
503 service area may execute a single agreement with the coalition
504 on behalf of each site ~~provider~~.

505 (l) Notwithstanding paragraph (j), for a private
506 prekindergarten provider that is a state agency or a subdivision
507 thereof, as defined in s. 768.28(2), the provider must agree to
508 notify the coalition of any additional liability coverage
509 maintained by the provider in addition to that otherwise
510 established under s. 768.28. The provider shall indemnify the
511 coalition to the extent permitted by s. 768.28. Notwithstanding
512 paragraph (j), for a child development program accredited by a
513 national accrediting body and operating on a military
514 installation certified by the United States Department of
515 Defense, the provider may demonstrate liability coverage by
516 affirming that it is subject to the Federal Tort Claims Act, 28
517 U.S.C. s. 2671 et seq.

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

521 (a) A bachelor's or higher degree in early childhood
522 education, prekindergarten or primary education, preschool

576-04674-21

20211282c1

523 education, or family and consumer science;

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

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

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

536 (e) An educational credential approved by the department as
537 being equivalent to or greater than an educational credential
538 described in this subsection. The department may adopt criteria
539 and procedures for approving equivalent educational credentials
540 under this paragraph.

541 (5)

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

547 (6) Each early learning coalition must verify that each
548 private prekindergarten provider delivering the Voluntary
549 Prekindergarten Education Program within the coalition's county
550 or multicounty region complies with this part. If a private
551 prekindergarten provider fails or refuses to comply with this

576-04674-21

20211282c1

552 part or engages in misconduct, the office must require the early
553 learning coalition to remove the provider from eligibility to
554 deliver the program or to receive state funds under this part
555 for a period of at least 2 years but no more than 5 years.

556 Section 12. Present paragraphs (b) and (c) of subsection
557 (2) of section 1002.57, Florida Statutes, are redesignated as
558 paragraphs (c) and (d), respectively, and a new paragraph (b) is
559 added to that subsection, to read:

560 1002.57 Prekindergarten director credential.—

561 (2) The educational requirements must include training in
562 the following:

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

565 Section 13. Section 1002.59, Florida Statutes, is amended
566 to read:

567 1002.59 Emergent literacy and performance standards
568 training courses.—

569 (1) The office shall adopt minimum standards for ~~one or~~
570 ~~more training~~ courses in emergent literacy for prekindergarten
571 instructors. Each course must comprise 5 clock hours and provide
572 instruction in strategies and techniques to address the age-
573 appropriate progress of prekindergarten students in developing
574 emergent literacy skills, including oral communication,
575 knowledge of print and letters, phonemic and phonological
576 awareness, and vocabulary and comprehension development. Each
577 course must also provide resources containing strategies that
578 allow students with disabilities and other special needs to
579 derive maximum benefit from the Voluntary Prekindergarten
580 Education Program. Successful completion of an emergent literacy

576-04674-21

20211282c1

581 training course approved under this section satisfies
582 requirements for approved training in early literacy and
583 language development under ss. 402.305(2)(e)5., 402.313(6), and
584 402.3131(5).

585 (2) The office shall adopt minimum standards for ~~one or~~
586 ~~more training~~ courses on the performance standards adopted under
587 s. 1002.67(1). Each course must comprise at least 3 clock hours,
588 provide instruction in strategies and techniques to address age-
589 appropriate progress of each child in attaining the standards,
590 and be available online.

591 (3) The office shall make available online professional
592 development and training courses consisting of at least 8 clock
593 hours that support prekindergarten instructors in increasing the
594 competency of teacher-child interactions.

595 Section 14. Present subsections (6), (7), and (8) of
596 section 1002.61, Florida Statutes, are redesignated as
597 subsections (7), (8), and (9), respectively, a new subsection
598 (6) and subsection (10) are added to that section, and paragraph
599 (b) of subsection (1), paragraph (b) of subsection (3), and
600 subsection (4) of that section are amended, to read:

601 1002.61 Summer prekindergarten program delivered by public
602 schools and private prekindergarten providers.—

603 (1)

604 (b) Each early learning coalition shall administer the
605 Voluntary Prekindergarten Education Program at the county or
606 regional level for students enrolled under s. 1002.53(3)(b) in a
607 summer prekindergarten program delivered by a private
608 prekindergarten provider. A child development program accredited
609 by a national accrediting body and operating on a military

576-04674-21

20211282c1

610 installation certified by the United States Department of
611 Defense may administer the summer prekindergarten program as a
612 private prekindergarten provider.

613 (3)

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

619 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
620 each public school and private prekindergarten provider must
621 have, for each prekindergarten class, at least one
622 prekindergarten instructor who is a certified teacher or holds
623 one of the educational credentials specified in s. 1002.55(4)(a)
624 or (b). As used in this subsection, the term "certified teacher"
625 means a teacher holding a valid Florida educator certificate
626 under s. 1012.56 who has the qualifications required by the
627 district school board to instruct students in the summer
628 prekindergarten program. In selecting instructional staff for
629 the summer prekindergarten program, each school district shall
630 give priority to teachers who have experience or coursework in
631 early childhood education and have completed emergent literacy
632 and performance standards courses, as described in s.
633 1002.55(3)(c)2.

634 (6) A child development program accredited by a national
635 accrediting body and operating on a military installation
636 certified by the United States Department of Defense shall
637 comply with the requirements of a private prekindergarten
638 provider in this section.

576-04674-21

20211282c1

639 (10) (a) Each early learning coalition shall verify that
640 each private prekindergarten provider and public school
641 delivering the Voluntary Prekindergarten Education Program
642 within the coalition's county or multicounty region complies
643 with this part.

644 (b) If a private prekindergarten provider or public school
645 fails or refuses to comply with this part or engages in
646 misconduct, the office must require the early learning coalition
647 to remove the provider or school from eligibility to deliver the
648 Voluntary Prekindergarten Education Program or to receive state
649 funds under this part for a period of at least 2 years but no
650 more than 5 years.

651 Section 15. Paragraph (b) of subsection (3) of section
652 1002.63, Florida Statutes, is amended, and subsection (9) is
653 added to that section, to read:

654 1002.63 School-year prekindergarten program delivered by
655 public schools.-

656 (3)

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

662 (9) (a) Each early learning coalition shall verify that each
663 public school delivering the Voluntary Prekindergarten Education
664 Program within the coalition's service area complies with this
665 part.

666 (b) If a public school fails or refuses to comply with this
667 part or engages in misconduct, the office must require the

576-04674-21

20211282c1

668 district school board to remove the school from eligibility to
669 deliver the Voluntary Prekindergarten Education Program or to
670 receive state funds under this part for a period of at least 2
671 years but no more than 5 years.

672 Section 16. Section 1002.67, Florida Statutes, is amended
673 to read:

674 1002.67 Performance standards and, curricula and
675 accountability.—

676 (1) (a) The office shall develop and adopt performance
677 standards for students in the Voluntary Prekindergarten
678 Education Program. The performance standards must address the
679 age-appropriate progress of students in the development of:

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

682 2. Emergent literacy skills, including oral communication,
683 knowledge of print and letters, phonemic and phonological
684 awareness, and vocabulary and comprehension development; and

685 3. Mathematical thinking and early math skills.

686
687 ~~By October 1, 2013, the office shall examine the existing~~
688 ~~performance standards in the area of mathematical thinking and~~
689 ~~develop a plan to make appropriate professional development and~~
690 ~~training courses available to prekindergarten instructors.~~

691 (b) At least every 3 years, the office shall ~~periodically~~
692 review and, if necessary, revise the performance standards
693 established under this section ~~for the statewide kindergarten~~
694 ~~screening administered under s. 1002.69~~ and align the standards
695 to the standards established by the state board for student
696 performance on the statewide assessments administered pursuant

576-04674-21

20211282c1

697 to s. 1008.22.

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

703 (b) Each private prekindergarten provider's and public
704 school's curriculum must be developmentally appropriate and
705 must:

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

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

711 3. Support student learning gains through differentiated
712 instruction that shall be measured by the coordinated screening
713 and progress monitoring program under s. 1008.2125 ~~Prepare~~
714 ~~students to be ready for kindergarten based upon the statewide~~
715 ~~kindergarten screening administered under s. 1002.69.~~

716 (c) The office shall adopt procedures for the review and
717 approval of ~~approve~~ curricula for use by private prekindergarten
718 providers and public schools that are placed on probation under
719 s. 1002.68 ~~paragraph (4) (c)~~. The office shall administer the
720 review and approval process and maintain a list of the curricula
721 approved under this paragraph. Each approved curriculum must
722 meet the requirements of paragraph (b).

723 ~~(3) (a) Contingent upon legislative appropriation, each~~
724 ~~private prekindergarten provider and public school in the~~
725 ~~Voluntary Prekindergarten Education Program must implement an~~

576-04674-21

20211282c1

726 ~~evidence based pre and post assessment that has been approved~~
727 ~~by rule of the State Board of Education.~~

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

732 ~~(c) The pre and post assessment must be administered by~~
733 ~~individuals meeting requirements established by rule of the~~
734 ~~State Board of Education.~~

735 ~~(4)(a) Each early learning coalition shall verify that each~~
736 ~~private prekindergarten provider delivering the Voluntary~~
737 ~~Prekindergarten Education Program within the coalition's county~~
738 ~~or multicounty region complies with this part. Each district~~
739 ~~school board shall verify that each public school delivering the~~
740 ~~program within the school district complies with this part.~~

741 ~~(b) If a private prekindergarten provider or public school~~
742 ~~fails or refuses to comply with this part, or if a provider or~~
743 ~~school engages in misconduct, the office shall require the early~~
744 ~~learning coalition to remove the provider and require the school~~
745 ~~district to remove the school from eligibility to deliver the~~
746 ~~Voluntary Prekindergarten Education Program and receive state~~
747 ~~funds under this part for a period of 5 years.~~

748 ~~(c)1. If the kindergarten readiness rate of a private~~
749 ~~prekindergarten provider or public school falls below the~~
750 ~~minimum rate adopted by the office as satisfactory under s.~~
751 ~~1002.69(6), the early learning coalition or school district, as~~
752 ~~applicable, shall require the provider or school to submit an~~
753 ~~improvement plan for approval by the coalition or school~~
754 ~~district, as applicable, and to implement the plan; shall place~~

576-04674-21

20211282c1

755 ~~the provider or school on probation; and shall require the~~
756 ~~provider or school to take certain corrective actions, including~~
757 ~~the use of a curriculum approved by the office under paragraph~~
758 ~~(2) (c) or a staff development plan to strengthen instruction in~~
759 ~~language development and phonological awareness approved by the~~
760 ~~office.~~

761 ~~2. A private prekindergarten provider or public school that~~
762 ~~is placed on probation must continue the corrective actions~~
763 ~~required under subparagraph 1., including the use of a~~
764 ~~curriculum or a staff development plan to strengthen instruction~~
765 ~~in language development and phonological awareness approved by~~
766 ~~the office, until the provider or school meets the minimum rate~~
767 ~~adopted by the office as satisfactory under s. 1002.69(6).~~
768 ~~Failure to implement an approved improvement plan or staff~~
769 ~~development plan shall result in the termination of the~~
770 ~~provider's contract to deliver the Voluntary Prekindergarten~~
771 ~~Education Program for a period of 5 years.~~

772 ~~3. If a private prekindergarten provider or public school~~
773 ~~remains on probation for 2 consecutive years and fails to meet~~
774 ~~the minimum rate adopted by the office as satisfactory under s.~~
775 ~~1002.69(6) and is not granted a good cause exemption by the~~
776 ~~office pursuant to s. 1002.69(7), the office shall require the~~
777 ~~early learning coalition or the school district to remove, as~~
778 ~~applicable, the provider or school from eligibility to deliver~~
779 ~~the Voluntary Prekindergarten Education Program and receive~~
780 ~~state funds for the program for a period of 5 years.~~

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

576-04674-21

20211282c1

~~784 duplication of activities for monitoring private prekindergarten
785 providers for compliance with requirements of the Voluntary
786 Prekindergarten Education Program under this part, the school
787 readiness program under part VI of this chapter, and the
788 licensing of providers under ss. 402.301-402.319.~~

789 Section 17. Section 1002.68, Florida Statutes, is created
790 to read:

791 1002.68 Voluntary Prekindergarten Education Program
792 accountability.-

793 (1) (a) Beginning with the 2022-2023 program year, each
794 private prekindergarten provider and public school participating
795 in the Voluntary Prekindergarten Education Program must
796 participate in the coordinated screening and progress monitoring
797 program in accordance with s. 1008.2125. The coordinated
798 screening and progress monitoring program results shall be used
799 by the office to identify student learning gains, index
800 development learning outcomes upon program completion relative
801 to the performance standards established under s. 1002.67 and
802 representative norms, and inform a private prekindergarten
803 provider's and public school's performance metric.

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

807 (c) Each private prekindergarten provider and public school
808 participating in the Voluntary Prekindergarten Education Program
809 must provide a student's performance results from the
810 coordinated screening and progress monitoring to the student's
811 parents within 7 days after the administration of such
812 coordinated screening and progress monitoring.

576-04674-21

20211282c1

813 (2) Beginning with the 2022-2023 program year, each private
814 prekindergarten provider and public school participating in the
815 Voluntary Prekindergarten Education Program must participate in
816 a program assessment of each voluntary prekindergarten education
817 classroom. The program assessment shall measure the quality of
818 teacher-child interactions, including emotional support,
819 classroom organization, and instructional support for children
820 ages 3 to 5 years. Each private prekindergarten provider and
821 public school participating in the Voluntary Prekindergarten
822 Education Program shall receive from the office the results of
823 the program assessment for each classroom within 14 days after
824 the observation. Each early learning coalition shall be
825 responsible for the administration of the program assessments,
826 which must be conducted by individuals qualified to conduct
827 program assessments under s. 1002.82(2)(n).

828 (3)(a) For the 2020-2021 program year, the office shall
829 calculate a kindergarten readiness rate for each private
830 prekindergarten provider and public school participating in the
831 Voluntary Prekindergarten Education Program based upon learning
832 gains and the percentage of students assessed as ready for
833 kindergarten. The department shall require that each school
834 district administer the statewide kindergarten screening in use
835 before the 2021-2022 school year to each kindergarten student in
836 the school district within the first 30 school days of the 2021-
837 2022 school year. Private schools may administer the statewide
838 kindergarten screening to each kindergarten student in a private
839 school who was enrolled in the Voluntary Prekindergarten
840 Education Program. Learning gains shall be determined using a
841 value-added measure based on growth demonstrated by the results

576-04674-21

20211282c1

842 of the pre- and post-assessment in use before the 2021-2022
843 program year. However, a provider may not be newly placed on
844 probationary status; a provider that is already on probationary
845 status but earns the minimum rate determined pursuant to
846 subsection (5) may be removed from probation; and a provider
847 that is already on probationary status but does not meet the
848 minimum rate determined pursuant to subsection (5) must remain
849 on probation in their existing status. The methodology for
850 calculating a provider's readiness rate may not include students
851 who are not administered the statewide kindergarten screening.

852 (b) For the 2021-2022 program year, kindergarten screening
853 results may not be used in the calculation of readiness rates.
854 Any private prekindergarten provider or public school
855 participating in the Voluntary Prekindergarten Education Program
856 which fails to meet the minimum kindergarten readiness rate for
857 the 2021-2022 program year is subject to the probation
858 requirements of subsection (5).

859 (4) (a) Beginning with the 2022-2023 program year, the
860 office shall adopt a methodology for calculating each private
861 prekindergarten provider's and public school provider's
862 performance metric, which must be based on a combination of the
863 following:

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

866 2. Learning gains operationalized as change-in-ability
867 scores from the initial and final progress monitoring results
868 described in subsection (1).

869 3. Norm-referenced developmental learning outcomes
870 described in subsection (1).

576-04674-21

20211282c1

871 (b) The methodology for calculating a provider's
872 performance metric may not include students who are not
873 administered the coordinated screening and progress monitoring
874 program under s. 1008.2125.

875 (c) The program assessment composite score and performance
876 metric must be calculated for each private prekindergarten or
877 public school site.

878 (d) The methodology shall include a statistical latent
879 profile analysis developed by the office that must be able to
880 produce a limited number of performance metric profiles that
881 summarize the profiles of all sites that must be used to inform
882 the following designations: "unsatisfactory," "emerging
883 proficiency," "proficient," "highly proficient," and "excellent"
884 or comparable terminology determined by the office which may not
885 include letter grades.

886 (e) Subject to an appropriation, the office shall provide
887 for a differential payment to a private prekindergarten provider
888 and public school based on the provider's designation. The
889 maximum differential payment may not exceed a total of 15
890 percent of the base student allocation per full-time equivalent
891 student under s. 1002.71 attending in the consecutive program
892 year for that program. A private prekindergarten provider or
893 public school may not receive a differential payment if it
894 receives a designation of "proficient" or lower. Before the
895 adoption of the methodology, the office shall confer with the
896 Council for Early Grade Success under s. 1008.2125 before
897 receiving approval from the office for the final recommendations
898 on the designation system and differential payments.

899 (f) The office shall adopt procedures to annually calculate

576-04674-21

20211282c1

900 each private prekindergarten provider's and public school's
901 performance metric, based on the methodology adopted in
902 paragraphs (a) and (b), and assign a designation under paragraph
903 (d). Beginning with the 2023-2024 program year, each private
904 prekindergarten provider or public school shall be assigned a
905 designation within 45 days after the conclusion of the school-
906 year Voluntary Prekindergarten Education Program delivered by
907 all participating private prekindergarten providers or public
908 schools and within 45 days after the conclusion of the summer
909 Voluntary Prekindergarten Education Program delivered by all
910 participating private prekindergarten providers or public
911 schools.

912 (g) A private prekindergarten provider or public school
913 designated "proficient," "highly proficient," or "excellent"
914 demonstrates the provider's or school's satisfactory delivery of
915 the Voluntary Prekindergarten Education Program.

916 (h) The designations shall be displayed in the early
917 learning provider performance profiles required under s.
918 1002.92(3).

919 (5) (a) If a public school's or private prekindergarten
920 provider's program assessment composite score for its
921 prekindergarten classrooms fails to meet the minimum program
922 assessment composite score for contracting adopted by the
923 office, the private prekindergarten provider or public school
924 may not participate in the Voluntary Prekindergarten Education
925 Program beginning in the consecutive program year and thereafter
926 until the public school or private prekindergarten provider
927 meets the minimum composite score for contracting. A public
928 school or private prekindergarten provider may request one

576-04674-21

20211282c1

929 program assessment per program year in order to requalify for
930 participation in the Voluntary Prekindergarten Education
931 Program, provided that the public school or private
932 prekindergarten provider is not excluded from participation
933 under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9)(b), or
934 paragraph (5)(b) of this section. If a public school or private
935 prekindergarten provider would like an additional program
936 assessment completed within the same program year, the public
937 school or private prekindergarten provider shall be responsible
938 for the cost of the program assessment.

939 (b) If a private prekindergarten provider's or public
940 school's performance metric or designation falls below the
941 minimum performance metric or designation, the early learning
942 coalition shall:

943 1. Require the provider or school to submit for approval to
944 the early learning coalition an improvement plan and implement
945 the plan.

946 2. Place the provider or school on probation.

947 3. Require the provider or school to take certain
948 corrective actions, including the use of a curriculum approved
949 by the office under s. 1002.67(2)(c) and a staff development
950 plan approved by the office to strengthen instructional
951 practices in emotional support, classroom organization,
952 instructional support, language development, phonological
953 awareness, alphabet knowledge, and mathematical thinking.

954 (c) A private prekindergarten provider or public school
955 placed on probation must continue the corrective actions
956 required under paragraph (b) until the provider or school meets
957 the minimum performance metric or designation adopted by the

576-04674-21

20211282c1

958 office. Failure to meet the requirements of subparagraphs (b)1.
959 and 3. shall result in the termination of the provider's or
960 school's contract to deliver the Voluntary Prekindergarten
961 Education Program for a period of at least 2 years but no more
962 than 5 years.

963 (d) If a private prekindergarten provider or public school
964 remains on probation for 2 consecutive years and fails to meet
965 the minimum performance metric or designation, or is not granted
966 a good cause exemption by the office, the office shall require
967 the early learning coalition to revoke the provider's or
968 school's eligibility to deliver the Voluntary Prekindergarten
969 Education Program or to receive state funds for the program for
970 a period of at least 2 years but no more than 5 years.

971 (6) (a) The office, upon the request of a private
972 prekindergarten provider or public school that remains on
973 probation for at least 2 consecutive years and subsequently
974 fails to meet the minimum performance metric or designation, and
975 for good cause shown, may grant to the provider or school an
976 exemption from being determined ineligible to deliver the
977 Voluntary Prekindergarten Education Program or to receive state
978 funds for the program. Such exemption is valid for 1 year and,
979 upon the request of the private prekindergarten provider or
980 public school and for good cause shown, may be renewed.

981 (b) A private prekindergarten provider's or public school's
982 request for a good cause exemption, or renewal of such an
983 exemption, must be submitted to the office in the manner and
984 within the timeframes prescribed by the office and must include
985 the following:

986 1. Data from the private prekindergarten provider or public

576-04674-21

20211282c1

987 school which documents the achievement and progress of the
988 children served, as measured by any required screenings or
989 assessments.

990 2. Data from the program assessment required under
991 subsection (2) which demonstrates effective teaching practices
992 as recognized by the tool developer.

993 3. Data from the early learning coalition or district
994 school board, as applicable, the Department of Children and
995 Families, the local licensing authority, or an accrediting
996 association, as applicable, relating to the private
997 prekindergarten provider's or public school's compliance with
998 state and local health and safety standards.

999 (c) The office shall adopt criteria for granting good cause
1000 exemptions. Such criteria must include, but are not limited to,
1001 all of the following:

1002 1. Child demographic data that evidences a private
1003 prekindergarten provider or public school serves a statistically
1004 significant population of children with special needs who have
1005 individual education plans and can demonstrate progress toward
1006 meeting the goals outlined in the students' individual education
1007 plans.

1008 2. Learning gains of children served in the Voluntary
1009 Prekindergarten Education Program by the private prekindergarten
1010 provider or public school on an alternative measure that has
1011 comparable validity and reliability of the coordinated screening
1012 and progress monitoring program in accordance with s. 1008.2125.

1013 3. Program assessment data under subsection (2) which
1014 demonstrates effective teaching practices as recognized by the
1015 tool developer.

576-04674-21

20211282c1

1016 4. Verification that local and state health and safety
1017 requirements are met.

1018 (d) A good cause exemption may not be granted to any
1019 private prekindergarten provider or public school that has any
1020 class I violations or two or more class II violations, as
1021 defined by rule of the Department of Children and Families,
1022 within the 2 years preceding the provider's or school's request
1023 for the exemption.

1024 (e) A private prekindergarten provider or public school
1025 granted a good cause exemption shall continue to implement its
1026 improvement plan and continue the corrective actions required
1027 under paragraph (5) (b) until the provider or school meets the
1028 minimum performance metric.

1029 (f) If a good cause exemption is granted to a private
1030 prekindergarten provider or public school that remains on
1031 probation for 2 consecutive years and if the provider meets all
1032 other applicable requirements of this part, the office must
1033 notify the early learning coalition of the good cause exemption
1034 and direct that the early learning coalition not remove the
1035 provider from eligibility to deliver the Voluntary
1036 Prekindergarten Education Program or to receive state funds for
1037 the program.

1038 (g) The office shall report the number of private
1039 prekindergarten providers or public schools that have received a
1040 good cause exemption and the reasons for the exemptions as part
1041 of its annual reporting requirements under s. 1002.82(7).

1042 (7) Representatives from each school district and
1043 corresponding early learning coalitions must meet annually to
1044 develop strategies to transition students from the Voluntary

576-04674-21

20211282c1

1045 Prekindergarten Education Program to kindergarten.

1046 Section 18. Section 1002.69, Florida Statutes, is repealed.

1047 Section 19. Section 1002.73, Florida Statutes, is amended
1048 to read:

1049 1002.73 Office of Early Learning ~~Department of Education;~~
1050 powers and duties; accountability requirements.—

1051 (1) The office ~~department~~ shall adopt by rule a standard
1052 statewide provider contract to be used with each Voluntary
1053 Prekindergarten Education Program provider, with standardized
1054 attachments by provider type. The office shall publish a copy of
1055 the standard statewide provider contract on its website. The
1056 standard statewide provider contract shall include, at a
1057 minimum, provisions for provider probation, termination for
1058 cause, and emergency termination for actions or inactions of a
1059 provider that pose an immediate and serious danger to the
1060 health, safety, or welfare of children. The standard statewide
1061 provider contract shall also include appropriate due process
1062 procedures. During the pendency of an appeal of a termination,
1063 the provider may not continue to offer its services. Any
1064 provision imposed upon a provider that is inconsistent with, or
1065 prohibited by, law is void and unenforceable ~~administer the~~
1066 ~~accountability requirements of the Voluntary Prekindergarten~~
1067 ~~Education Program at the state level.~~

1068 (2) The office ~~department~~ shall adopt procedures for ~~its~~:

1069 (a) The approval of prekindergarten director credentials
1070 under ss. 1002.55 and 1002.57.

1071 (b) The approval of emergent literacy and early mathematics
1072 skills training courses under ss. 1002.55 and 1002.59.

1073 (c) Annually notifying private prekindergarten providers

576-04674-21

20211282c1

1074 and public schools placed on probation for not meeting the
1075 minimum performance metric or designation as required by s.
1076 1002.68 of the high-quality professional development
1077 opportunities developed or supported by the office.

1078 (d) The administration of the Voluntary Prekindergarten
1079 Education Program by the early learning coalitions, including,
1080 but not limited to, procedures for:

1081 1. Enrolling children in and determining the eligibility of
1082 children for the Voluntary Prekindergarten Education Program
1083 under s. 1002.53, which shall include the enrollment of children
1084 by public schools and private providers that meet specified
1085 requirements.

1086 2. Providing parents with profiles of private
1087 prekindergarten providers and public schools under s. 1002.53.

1088 3. Registering private prekindergarten providers and public
1089 schools to deliver the program under ss. 1002.55, 1002.61, and
1090 1002.63.

1091 4. Determining the eligibility of private prekindergarten
1092 providers to deliver the program under ss. 1002.55 and 1002.61
1093 and streamlining the process of determining provider eligibility
1094 whenever possible.

1095 5. Verifying the compliance of private prekindergarten
1096 providers and public schools and removing providers or schools
1097 from eligibility to deliver the program due to noncompliance or
1098 misconduct as provided in s. 1002.67.

1099 6. Paying private prekindergarten providers and public
1100 schools under s. 1002.71.

1101 7. Documenting and certifying student enrollment and
1102 student attendance under s. 1002.71.

576-04674-21

20211282c1

1103 8. Reconciling advance payments in accordance with the
1104 uniform attendance policy under s. 1002.71.

1105 9. Reenrolling students dismissed by a private
1106 prekindergarten provider or public school for noncompliance with
1107 the provider's or school district's attendance policy under s.
1108 1002.71.

1109 (3) The office shall administer the accountability
1110 requirements of the Voluntary Prekindergarten Education Program
1111 at the state level.

1112 (4) The office shall adopt procedures governing the
1113 administration of the Voluntary Prekindergarten Education
1114 Program by the early learning coalitions for:

1115 (a) Approving improvement plans of private prekindergarten
1116 providers and public schools under s. 1002.68.

1117 (b) Placing private prekindergarten providers and public
1118 schools on probation and requiring corrective actions under s.
1119 1002.68.

1120 (c) Removing a private prekindergarten provider or public
1121 school from eligibility to deliver the program due to the
1122 provider's or school's remaining on probation beyond the time
1123 permitted under s. 1002.68. Notwithstanding any other law, if a
1124 private prekindergarten provider has been cited for a class I
1125 violation, as defined by rule of the Child Care Services Program
1126 Office of the Department of Children and Families, the coalition
1127 may refuse to contract with the provider or revoke the
1128 provider's eligibility to deliver the Voluntary Prekindergarten
1129 Education Program.

1130 (d) Enrolling children in and determining the eligibility
1131 of children for the Voluntary Prekindergarten Education Program

576-04674-21

20211282c1

1132 under s. 1002.66.

1133 (e) Paying specialized instructional services providers
1134 under s. 1002.66.

1135 ~~(c) Administration of the statewide kindergarten screening~~
1136 ~~and calculation of kindergarten readiness rates under s.~~
1137 ~~1002.69.~~

1138 ~~(d) Implementation of, and determination of costs~~
1139 ~~associated with, the state-approved prekindergarten enrollment~~
1140 ~~screening and the standardized postassessment approved by the~~
1141 ~~department, and determination of the learning gains of students~~
1142 ~~who complete the state-approved prekindergarten enrollment~~
1143 ~~screening and the standardized postassessment approved by the~~
1144 ~~department.~~

1145 (f)(e) Approving Approval of specialized instructional
1146 services providers under s. 1002.66.

1147 ~~(f) Annual reporting of the percentage of kindergarten~~
1148 ~~students who meet all state readiness measures.~~

1149 (g) Granting of a private prekindergarten provider's or
1150 public school's request for a good cause exemption under s.
1151 1002.68 ~~s. 1002.69(7).~~

1152 (5) The office shall adopt procedures for the distribution
1153 of funds to early learning coalitions under s. 1002.71.

1154 (6)(3) Except as provided by law, the office ~~department~~ may
1155 not impose requirements on a private prekindergarten provider or
1156 public school that does not deliver the Voluntary
1157 Prekindergarten Education Program or receive state funds under
1158 this part.

1159 Section 20. Section 1002.75, Florida Statutes, is repealed.

1160 Section 21. Section 1002.81, Florida Statutes, is reordered

576-04674-21

20211282c1

1161 and amended to read:

1162 1002.81 Definitions.—Consistent with the requirements of 45
1163 C.F.R. parts 98 and 99 and as used in this part, the term:

1164 (1) "At-risk child" means:

1165 (a) A child from a family under investigation by the
1166 Department of Children and Families or a designated sheriff's
1167 office for child abuse, neglect, abandonment, or exploitation.

1168 (b) A child who is in a diversion program provided by the
1169 Department of Children and Families or its contracted provider
1170 and who is from a family that is actively participating and
1171 complying in department-prescribed activities, including
1172 education, health services, or work.

1173 (c) A child from a family that is under supervision by the
1174 Department of Children and Families or a contracted service
1175 provider for abuse, neglect, abandonment, or exploitation.

1176 (d) A child placed in court-ordered, long-term custody or
1177 under the guardianship of a relative or nonrelative after
1178 termination of supervision by the Department of Children and
1179 Families or its contracted provider.

1180 (e) A child in the custody of a parent who is considered a
1181 victim of domestic violence and is receiving services through a
1182 certified domestic violence center.

1183 (f) A child in the custody of a parent who is considered
1184 homeless as verified by a Department of Children and Families
1185 certified homeless shelter.

1186 (2) "Authorized hours of care" means the hours of care that
1187 are necessary to provide protection, maintain employment, or
1188 complete work activities or eligible educational activities,
1189 including reasonable travel time.

576-04674-21

20211282c1

1190 ~~(13)~~~~(3)~~ "Prevailing Average market rate" means the
1191 biennially determined 75th percentile of a reasonable frequency
1192 distribution average of the market rate by program care level
1193 and provider type in a predetermined geographic market at which
1194 child care providers charge a person for child care services.

1195 ~~(3)~~~~(4)~~ "Direct enhancement services" means services for
1196 families and children that are in addition to payments for the
1197 placement of children in the school readiness program. Direct
1198 enhancement services for families and children may include
1199 supports for providers, parent training and involvement
1200 activities, and strategies to meet the needs of unique
1201 populations and local eligibility priorities. Direct enhancement
1202 services offered by an early learning coalition shall be
1203 consistent with the activities prescribed in s. 1002.89(6)(b).

1204 ~~(4)~~~~(5)~~ "Disenrollment" means the removal, either temporary
1205 or permanent, of a child from participation in the school
1206 readiness program. Removal of a child from the school readiness
1207 program may be based on the following events: a reduction in
1208 available school readiness program funding, participant's
1209 failure to meet eligibility or program participation
1210 requirements, fraud, or a change in local service priorities.

1211 ~~(5)~~~~(6)~~ "Earned income" means gross remuneration derived
1212 from work, professional service, or self-employment. The term
1213 includes commissions, bonuses, back pay awards, and the cash
1214 value of all remuneration paid in a medium other than cash.

1215 ~~(6)~~~~(7)~~ "Economically disadvantaged" means having a family
1216 income that does not exceed 150 percent of the federal poverty
1217 level and includes being a child of a working migratory family
1218 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural

576-04674-21

20211282c1

1219 worker who is employed by more than one agricultural employer
1220 during the course of a year, and whose income varies according
1221 to weather conditions and market stability.

1222 (7)~~(8)~~ "Family income" means the combined gross income,
1223 whether earned or unearned, that is derived from any source by
1224 all family or household members who are 18 years of age or older
1225 who are currently residing together in the same dwelling unit.
1226 The term does not include income earned by a currently enrolled
1227 high school student who, since attaining the age of 18 years, or
1228 a student with a disability who, since attaining the age of 22
1229 years, has not terminated school enrollment or received a high
1230 school diploma, high school equivalency diploma, special
1231 diploma, or certificate of high school completion. The term also
1232 does not include food stamp benefits or federal housing
1233 assistance payments issued directly to a landlord or the
1234 associated utilities expenses.

1235 (8)~~(9)~~ "Family or household members" means spouses, former
1236 spouses, persons related by blood or marriage, persons who are
1237 parents of a child in common regardless of whether they have
1238 been married, and other persons who are currently residing
1239 together in the same dwelling unit as if a family.

1240 (9)~~(10)~~ "Full-time care" means at least 6 hours, but not
1241 more than 11 hours, of child care or early childhood education
1242 services within a 24-hour period.

1243 (10)~~(11)~~ "Market rate" means the price that a child care or
1244 early childhood education provider charges for full-time or
1245 part-time daily, weekly, or monthly child care or early
1246 childhood education services.

1247 (11)~~(12)~~ "Office" means the Office of Early Learning of the

576-04674-21

20211282c1

1248 Department of Education.

1249 (12)~~(13)~~ "Part-time care" means less than 6 hours of child
1250 care or early childhood education services within a 24-hour
1251 period.

1252 (14) "Single point of entry" means an integrated
1253 information system that allows a parent to enroll his or her
1254 child in the school readiness program or the Voluntary
1255 Prekindergarten Education Program at various locations
1256 throughout a county, that may allow a parent to enroll his or
1257 her child by telephone or through a website, and that uses a
1258 uniform waiting list to track eligible children waiting for
1259 enrollment in the school readiness program.

1260 (15) "Unearned income" means income other than earned
1261 income. The term includes, but is not limited to:

- 1262 (a) Documented alimony and child support received.
1263 (b) Social security benefits.
1264 (c) Supplemental security income benefits.
1265 (d) Workers' compensation benefits.
1266 (e) Reemployment assistance or unemployment compensation
1267 benefits.
1268 (f) Veterans' benefits.
1269 (g) Retirement benefits.
1270 (h) Temporary cash assistance under chapter 414.

1271 (16) "Working family" means:

1272 (a) A single-parent family in which the parent with whom
1273 the child resides is employed or engaged in eligible work or
1274 education activities for at least 20 hours per week;

1275 (b) A two-parent family in which both parents with whom the
1276 child resides are employed or engaged in eligible work or

576-04674-21

20211282c1

1277 education activities for a combined total of at least 40 hours
1278 per week; or

1279 (c) A two-parent family in which one of the parents with
1280 whom the child resides is exempt from work requirements due to
1281 age or disability, as determined and documented by a physician
1282 licensed under chapter 458 or chapter 459, and one parent is
1283 employed or engaged in eligible work or education activities at
1284 least 20 hours per week.

1285 Section 22. Section 1002.82, Florida Statutes, is amended
1286 to read:

1287 1002.82 Office of Early Learning; powers and duties.—

1288 (1) For purposes of administration of the Child Care and
1289 Development Block Grant Trust Fund, pursuant to 45 C.F.R. parts
1290 98 and 99, the Office of Early Learning is designated as the
1291 lead agency and must comply with lead agency responsibilities
1292 pursuant to federal law. The office may apply to the Governor
1293 and Cabinet for a waiver of, and the Governor and Cabinet may
1294 waive, any provision of ss. 411.223 and 1003.54 if the waiver is
1295 necessary for implementation of the school readiness program.
1296 Section 125.901(2)(a)3. does not apply to the school readiness
1297 program.

1298 (2) The office shall:

1299 (a) Focus on improving the educational quality delivered by
1300 all providers participating in the school readiness program.

1301 (b) Preserve parental choice by permitting parents to
1302 choose from a variety of child care categories, including
1303 center-based care, family child care, and informal child care to
1304 the extent authorized in the state's Child Care and Development
1305 Fund Plan as approved by the United States Department of Health

576-04674-21

20211282c1

1306 and Human Services pursuant to 45 C.F.R. s. 98.18. Care and
1307 curriculum by a faith-based provider may not be limited or
1308 excluded in any of these categories.

1309 (c) Be responsible for the prudent use of all public and
1310 private funds in accordance with all legal and contractual
1311 requirements, safeguarding the effective use of federal, state,
1312 and local resources to achieve the highest practicable level of
1313 school readiness for the children described in s. 1002.87,
1314 including:

1315 1. The adoption of a uniform chart of accounts for
1316 budgeting and financial reporting purposes that provides
1317 standardized definitions for expenditures and reporting,
1318 consistent with the requirements of 45 C.F.R. part 98 and s.
1319 1002.89 for each of the following categories of expenditure:

- 1320 a. Direct services to children.
1321 b. Administrative costs.
1322 c. Quality activities.
1323 d. Nondirect services.

1324 2. Coordination with other state and federal agencies to
1325 perform data matches on children participating in the school
1326 readiness program and their families in order to verify the
1327 children's eligibility pursuant to s. 1002.87.

1328 (d) Establish procedures for the biennial calculation of
1329 the prevailing average market rate or an alternative model
1330 approved by the Administration for Children and Families
1331 pursuant to 45 C.F.R. s. 98.45(c).

1332 (e) Review each early learning coalition's school readiness
1333 program plan every 2 years and provide final approval of the
1334 plan and any amendments submitted.

576-04674-21

20211282c1

1335 (f) Establish a unified approach to the state's efforts to
1336 coordinate a comprehensive early learning program. In support of
1337 this effort, the office:

1338 1. Shall adopt specific program support services that
1339 address the state's school readiness program, including:

1340 a. Statewide data information program requirements that
1341 include:

1342 (I) Eligibility requirements.

1343 (II) Financial reports.

1344 (III) Program accountability measures.

1345 (IV) Child progress reports.

1346 b. Child care resource and referral services.

1347 c. A single point of entry and uniform waiting list.

1348 2. May provide technical assistance and guidance on
1349 additional support services to complement the school readiness
1350 program, including:

1351 ~~a. Rating and improvement systems.~~

1352 a.b. Warm-Line services.

1353 ~~b.c.~~ Anti-fraud plans.

1354 ~~d. School readiness program standards.~~

1355 ~~e. Child screening and assessments.~~

1356 c.f. Training and support for parental involvement in
1357 children's early education.

1358 ~~d.g.~~ Family literacy activities and services.

1359 (g) Provide technical assistance to early learning
1360 coalitions.

1361 (h) In cooperation with the early learning coalitions,
1362 coordinate with the Child Care Services Program Office of the
1363 Department of Children and Families to reduce paperwork and to

576-04674-21

20211282c1

1364 avoid duplicating interagency activities, health and safety
1365 monitoring, and acquiring and composing data pertaining to child
1366 care training and credentialing.

1367 (i) Enter into a memorandum of understanding with local
1368 licensing agencies and the Child Care Services Program Office of
1369 the Department of Children and Families for inspections of
1370 school readiness program providers to monitor and verify
1371 compliance with s. 1002.88 and the health and safety checklist
1372 adopted by the office. The provider contract of a school
1373 readiness program provider that refuses permission for entry or
1374 inspection shall be terminated. The health and safety checklist
1375 may not exceed the requirements of s. 402.305 and the Child Care
1376 and Development Fund pursuant to 45 C.F.R. part 98. A child
1377 development program accredited by a national accrediting body
1378 and operating on a military installation certified by the United
1379 States Department of Defense is exempted from the inspection
1380 requirements under s. 1002.88.

1381 (j) Monitor the alignment and consistency of the Develop
1382 and adopt standards and benchmarks developed and adopted by the
1383 office that address the age-appropriate progress of children in
1384 the development of school readiness skills. The standards for
1385 children from birth to kindergarten entry 5 years of age in the
1386 school readiness program must be aligned with the performance
1387 standards adopted for children in the Voluntary Prekindergarten
1388 Education Program and must address the following domains:

- 1389 1. Approaches to learning.
- 1390 2. Cognitive development and general knowledge.
- 1391 3. Numeracy, language, and communication.
- 1392 4. Physical development.

576-04674-21

20211282c1

- 1393 5. Self-regulation.
- 1394 (k) Identify observation-based child assessments that are
- 1395 valid, reliable, and developmentally appropriate for use at
- 1396 least three times a year. The assessments must:
- 1397 1. Provide interval level and norm-referenced ~~crit~~
1398 ~~referenced~~ data that measures equivalent levels of growth across
- 1399 the core domains of early childhood development and that can be
- 1400 used for determining developmentally appropriate learning gains.
- 1401 2. Measure progress in the performance standards adopted
- 1402 pursuant to paragraph (j).
- 1403 3. Provide for appropriate accommodations for children with
- 1404 disabilities and English language learners and be administered
- 1405 by qualified individuals, consistent with the developer's
- 1406 instructions.
- 1407 4. Coordinate with the performance standards adopted by the
- 1408 department under s. 1002.67(1) for the Voluntary Prekindergarten
- 1409 Education Program.
- 1410 5. Provide data in a format for use in the single statewide
- 1411 information system to meet the requirements of paragraph (q)
- 1412 ~~(p)~~.
- 1413 (l) Adopt a list of approved curricula that meet the
- 1414 performance standards for the school readiness program and
- 1415 establish a process for the review and approval of a provider's
- 1416 curriculum that meets the performance standards.
- 1417 (m) Provide technical support to an early learning
- 1418 coalition to facilitate the use of ~~Adopt by rule~~ a standard
- 1419 statewide provider contract adopted by the office to be used
- 1420 with each school readiness program provider, with standardized
- 1421 attachments by provider type. The office shall publish a copy of

576-04674-21

20211282c1

1422 the standard statewide provider contract on its website. The
1423 standard statewide contract shall include, at a minimum,
1424 contracted slots, if applicable, in accordance with the Child
1425 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
1426 and 99; quality improvement strategies, if applicable; program
1427 assessment requirements; and provisions for provider probation,
1428 termination for cause, and emergency termination for those
1429 actions or inactions of a provider that pose an immediate and
1430 serious danger to the health, safety, or welfare of the
1431 children. The standard statewide provider contract shall also
1432 include appropriate due process procedures. During the pendency
1433 of an appeal of a termination, the provider may not continue to
1434 offer its services. Any provision imposed upon a provider that
1435 is inconsistent with, or prohibited by, law is void and
1436 unenforceable. Provisions for termination for cause must also
1437 include failure to meet the minimum quality measures established
1438 under paragraph (n) for a period of up to 5 years, unless the
1439 coalition determines that the provider is essential to meeting
1440 capacity needs based on the assessment under s. 1002.85(2)(j)
1441 and the provider has an active improvement plan pursuant to
1442 paragraph (n).

1443 (n) Adopt a program assessment for school readiness program
1444 providers that measures the quality of teacher-child
1445 interactions, including emotional and behavioral support,
1446 engaged support for learning, classroom organization, and
1447 instructional support for children ages birth to 5 years. The
1448 implementation of the program assessment must ~~also~~ include the
1449 following components adopted by the office:

1450 1. Quality measures, including a minimum program assessment

576-04674-21

20211282c1

1451 composite score ~~threshold~~ for contracting purposes and program
1452 improvement through an improvement plan.

1453 2. Requirements for program participation, frequency of
1454 program assessment, and exemptions.

1455 (o) No later than July 1, 2019, develop a differential
1456 payment program based on the quality measures adopted by the
1457 office under paragraph (n). The differential payment may not
1458 exceed a total of 15 percent for each care level and unit of
1459 child care for a child care provider. No more than 5 percent of
1460 the 15 percent total differential may be provided to providers
1461 who submit valid and reliable data to the statewide information
1462 system in the domains of language and executive functioning
1463 using a child assessment identified pursuant to paragraph (k).
1464 Providers below the minimum program assessment score adopted
1465 ~~threshold~~ for contracting purposes are ineligible for such
1466 payment.

1467 (p) No later than July 1, 2022, develop and adopt
1468 requirements for the implementation of a program designed to
1469 make available contracted slots to serve children at the
1470 greatest risk of school failure as determined by such children
1471 being located in an area that has been designated as a poverty
1472 area tract according to the latest census data. The contracted
1473 slot program may also be used to increase the availability of
1474 child care capacity based on the assessment under s.
1475 1002.85(2)(j).

1476 (q) ~~(p)~~ Establish a single statewide information system that
1477 each coalition must use for the purposes of managing the single
1478 point of entry, tracking children's progress, coordinating
1479 services among stakeholders, determining eligibility of

576-04674-21

20211282c1

1480 children, tracking child attendance, and streamlining
1481 administrative processes for providers and early learning
1482 coalitions. By July 1, 2019, the system, subject to ss. 1002.72
1483 and 1002.97, shall:

1484 1. Allow a parent to monitor the development of his or her
1485 child as the child moves among programs within the state.

1486 2. Enable analysis at the state, regional, and local level
1487 to measure child growth over time, program impact, and quality
1488 improvement and investment decisions.

1489 (r)~~(s)~~ Provide technical support to coalitions to
1490 facilitate the use of ~~Adopt by rule~~ standardized procedures
1491 adopted by the office for early learning coalitions to use when
1492 monitoring the compliance of school readiness program providers
1493 with the terms of the standard statewide provider contract.

1494 (s)~~(r)~~ At least biennially provide fiscal and programmatic
1495 monitoring to ~~Monitor and~~ evaluate the performance of each early
1496 learning coalition in administering the school readiness
1497 program, ensuring proper payments for school readiness program
1498 services, implementing the coalition's school readiness program
1499 plan, and administering the Voluntary Prekindergarten Education
1500 Program. These monitoring and performance evaluations must
1501 include, at a minimum, onsite monitoring of each coalition's
1502 finances, management, operations, and programs.

1503 (t)~~(s)~~ Work in conjunction with the Bureau of Federal
1504 Education Programs within the Department of Education to
1505 coordinate readiness and voluntary prekindergarten services to
1506 the populations served by the bureau.

1507 (u)~~(t)~~ Administer a statewide toll-free Warm-Line to
1508 provide assistance and consultation to child care facilities and

576-04674-21

20211282c1

1509 family day care homes regarding health, developmental,
1510 disability, and special needs issues of the children they are
1511 serving, particularly children with disabilities and other
1512 special needs. The office shall:

1513 1. Annually inform child care facilities and family day
1514 care homes of the availability of this service through the child
1515 care resource and referral network under s. 1002.92.

1516 2. Expand or contract for the expansion of the Warm-Line to
1517 maintain at least one Warm-Line in each early learning coalition
1518 service area.

1519 (v)~~(u)~~ Develop and implement strategies to increase the
1520 supply and improve the quality of child care services for
1521 infants and toddlers, children with disabilities, children who
1522 receive care during nontraditional hours, children in
1523 underserved areas, and children in areas that have significant
1524 concentrations of poverty and unemployment.

1525 (w)~~(v)~~ Establish preservice and inservice training
1526 requirements that address, at a minimum, school readiness child
1527 development standards, health and safety requirements, and
1528 social-emotional behavior intervention models, which may include
1529 positive behavior intervention and support models, including the
1530 integration of early learning professional development pathways
1531 established in s. 1002.995.

1532 (x)~~(w)~~ Establish standards for emergency preparedness plans
1533 for school readiness program providers.

1534 (y)~~(x)~~ Establish group sizes.

1535 (z)~~(y)~~ Establish staff-to-children ratios that do not
1536 exceed the requirements of s. 402.302(8) or (11) or s.
1537 402.305(4), as applicable, for school readiness program

576-04674-21

20211282c1

1538 providers.

1539 (aa)~~(z)~~ Establish eligibility criteria, including
1540 limitations based on income and family assets, in accordance
1541 with s. 1002.87 and federal law.

1542 (3) (a) The office shall adopt performance standards and
1543 outcome measures for early learning coalitions that, at a
1544 minimum, include the development of objective and statistically
1545 valid customer service surveys by a state university or other
1546 independent researcher with specific expertise in customer
1547 service survey development. The survey shall be deployed
1548 beginning in fiscal year 2023-2024 and be distributed to:

1549 1. Customers who use the services in s. 1002.92 upon the
1550 completion of a referral inquiry.

1551 2. Parents annually at the time of eligibility
1552 determination.

1553 3. Child care providers that participate in the school
1554 readiness program or the Voluntary Prekindergarten Education
1555 Program at the time of execution of the statewide provider
1556 contract.

1557 4. Board members required under s. 1002.83.

1558 (b) Results of the survey shall be based on a statistically
1559 significant sample size of completed surveys and calculated
1560 annually for each early learning coalition and included in the
1561 department's annual report under subsection (7). If an early
1562 learning coalition's customer satisfaction survey results are
1563 below 60 percent, the coalition shall be placed on a 1-year
1564 corrective action plan that outlines specific steps the
1565 coalition shall take to improve the results of the customer
1566 service surveys, including, but not limited to, technical

576-04674-21

20211282c1

1567 assistance, staff professional development or coaching.

1568 (4)~~(3)~~ If the office determines during the review of school
1569 readiness program plans, or through monitoring and performance
1570 evaluations conducted under s. 1002.85, that an early learning
1571 coalition has not substantially implemented its plan, has not
1572 substantially met the performance standards and outcome measures
1573 adopted by the office or the terms of a customer service
1574 corrective action plan, or has not effectively administered the
1575 school readiness program or Voluntary Prekindergarten Education
1576 Program, the office may remove the coalition from eligibility to
1577 administer early learning programs and temporarily contract with
1578 a qualified entity to continue school readiness program and
1579 prekindergarten services in the coalition's county or
1580 multicounty region until the office reestablishes or merges the
1581 coalition and a new school readiness program plan is approved in
1582 accordance with the rules adopted by the office.

1583 (5) The office shall adopt procedures for merging early
1584 learning coalitions for failure to meet the requirements of
1585 subsection (3) or subsection (4), including procedures for the
1586 consolidation of merging coalitions that minimizes duplication
1587 of programs and services due to the merger, and for the early
1588 termination of the terms of the coalition members which are
1589 necessary to accomplish the mergers.

1590 (6)~~(4)~~ The office may request the Governor to apply for a
1591 waiver to allow a coalition to administer the Head Start Program
1592 to accomplish the purposes of the school readiness program.

1593 (7)~~(5)~~ By January 1 of each year, the office shall annually
1594 publish on its website a report of its activities conducted
1595 under this section. The report must include a summary of the

576-04674-21

20211282c1

1596 coalitions' annual reports, a statewide summary, and the
1597 following:

1598 (a) An analysis of early learning activities throughout the
1599 state, including the school readiness program and the Voluntary
1600 Prekindergarten Education Program.

1601 1. The total and average number of children served in the
1602 school readiness program, enumerated by age, eligibility
1603 priority category, and coalition, and the total number of
1604 children served in the Voluntary Prekindergarten Education
1605 Program.

1606 2. A summary of expenditures by coalition, by fund source,
1607 including a breakdown by coalition of the percentage of
1608 expenditures for administrative activities, quality activities,
1609 nondirect services, and direct services for children.

1610 3. A description of the office's and each coalition's
1611 expenditures by fund source for the quality and enhancement
1612 activities described in s. 1002.89(6)(b).

1613 4. A summary of annual findings and collections related to
1614 provider fraud and parent fraud.

1615 5. Data regarding the coalitions' delivery of early
1616 learning programs.

1617 6. The total number of children disenrolled statewide and
1618 the reason for disenrollment.

1619 7. The total number of providers by provider type.

1620 8. The number of school readiness program providers who
1621 have completed the program assessment required under paragraph
1622 (2)(n); the number of providers who have not met the minimum
1623 program assessment composite score threshold ~~threshold~~ for contracting
1624 established under paragraph (2)(n); and the number of providers

576-04674-21

20211282c1

1625 that have an active improvement plan based on the results of the
1626 program assessment under paragraph (2)(n).

1627 9. The total number of provider contracts revoked and the
1628 reasons for revocation.

1629 (b) A detailed summary of the analysis compiled using the
1630 single statewide information system established in subsection
1631 (2) activities and detailed expenditures related to the Child
1632 Care Executive Partnership Program.

1633 (8)(a)-(6)-(a) Parental choice of child care providers,
1634 including private and faith-based providers, shall be
1635 established to the maximum extent practicable in accordance with
1636 45 C.F.R. s. 98.30.

1637 (b) As used in this subsection, the term "payment
1638 certificate" means a child care certificate as defined in 45
1639 C.F.R. s. 98.2.

1640 (c) The school readiness program shall, in accordance with
1641 45 C.F.R. s. 98.30, provide parental choice through a payment
1642 certificate that provides, to the maximum extent possible,
1643 flexibility in the school readiness program and payment
1644 arrangements. The payment certificate must bear the names of the
1645 beneficiary and the program provider and, when redeemed, must
1646 bear the signatures of both the beneficiary and an authorized
1647 representative of the provider.

1648 (d) If it is determined that a provider has given any cash
1649 or other consideration to the beneficiary in return for
1650 receiving a payment certificate, the early learning coalition or
1651 its fiscal agent shall refer the matter to the Department of
1652 Financial Services pursuant to s. 414.411 for investigation.

1653 (9)-(7) Participation in the school readiness program does

576-04674-21

20211282c1

1654 not expand the regulatory authority of the state, its officers,
1655 or an early learning coalition to impose any additional
1656 regulation on providers beyond those necessary to enforce the
1657 requirements set forth in this part and part V of this chapter.

1658 Section 23. Present subsections (5) through (14) of section
1659 1002.83, Florida Statutes, are redesignated as subsections (6)
1660 through (15), respectively, a new subsection (5) is added to
1661 that section, and subsections (1) and (3), paragraphs (e), (f),
1662 and (m) of subsection (4), and present subsections (5), (11),
1663 and (13) of that section are amended, to read:

1664 1002.83 Early learning coalitions.—

1665 (1) Thirty ~~Thirty-one~~ or fewer early learning coalitions
1666 are established and shall maintain direct enhancement services
1667 at the local level and provide access to such services in all 67
1668 counties. Two or more early learning coalitions may join for
1669 purposes of planning and implementing a school readiness program
1670 and the Voluntary Prekindergarten Education Program.

1671 (3) The Governor shall appoint the chair and two other
1672 members of each early learning coalition, who must each meet the
1673 ~~same~~ qualifications of a ~~as~~ private sector business member
1674 ~~members appointed by the coalition~~ under subsection (6) ~~(5)~~. In
1675 the absence of a governor-appointed chair, the Executive
1676 Director of the Office of Early Learning may appoint an interim
1677 chair from the current early learning coalition board
1678 membership.

1679 (4) Each early learning coalition must include the
1680 following member positions; however, in a multicounty coalition,
1681 each ex officio member position may be filled by multiple
1682 nonvoting members but no more than one voting member shall be

576-04674-21

20211282c1

1683 seated per member position. If an early learning coalition has
1684 more than one member representing the same entity, only one of
1685 such members may serve as a voting member:

1686 (e) A children's services council or juvenile welfare board
1687 chair or executive director from each county, if applicable.

1688 (f) A Department of Children and Families child care
1689 regulation representative or an agency head of a local licensing
1690 agency as defined in s. 402.302, where applicable.

1691 ~~(m) A central agency administrator, where applicable.~~

1692 (5) If members of the board are found to be
1693 nonparticipating according to the early learning coalition
1694 bylaws, the early learning coalition may request an alternate
1695 designee who meets the same qualifications or membership
1696 requirements of the nonparticipating member.

1697 (6) ~~(5)~~ The early learning coalition may appoint additional
1698 ~~Including the members who appointed by the Governor under~~
1699 ~~subsection (3), more than one third of the members of each early~~
1700 ~~learning coalition~~ must be private sector business members,
1701 either for-profit or nonprofit, who do not have, and none of
1702 whose relatives as defined in s. 112.3143 has, a substantial
1703 financial interest in the design or delivery of the Voluntary
1704 Prekindergarten Education Program created under part V of this
1705 chapter or the school readiness program. ~~To meet this~~
1706 ~~requirement, an early learning coalition must appoint additional~~
1707 ~~members.~~ The office shall establish criteria for appointing
1708 private sector business members. These criteria must include
1709 standards for determining whether a member or relative has a
1710 substantial financial interest in the design or delivery of the
1711 Voluntary Prekindergarten Education Program or the school

576-04674-21

20211282c1

1712 readiness program.

1713 (12)~~(11)~~ Each early learning coalition shall establish
 1714 terms for all appointed members of the coalition. The terms must
 1715 be staggered and must be a uniform length that does not exceed 4
 1716 years per term. ~~Coalition chairs shall be appointed for 4 years~~
 1717 ~~pursuant to s. 20.052.~~ Appointed members may serve a maximum of
 1718 two consecutive terms. When a vacancy occurs in an appointed
 1719 position, the coalition must advertise the vacancy.

1720 (14)~~(13)~~ Each early learning coalition shall complete an
 1721 annual evaluation of the early learning coalition's executive
 1722 director or chief executive officer. The annual evaluation must
 1723 be submitted to the Executive Director of the Office of Early
 1724 Learning by August 30 of each year ~~use a coordinated~~
 1725 ~~professional development system that supports the achievement~~
 1726 ~~and maintenance of core competencies by school readiness program~~
 1727 ~~teachers in helping children attain the performance standards~~
 1728 ~~adopted by the office.~~

1729 Section 24. Present subsections (7) through (20) of section
 1730 1002.84, Florida Statutes, are redesignated as subsections (8)
 1731 through (21), respectively, a new subsection (7) is added to
 1732 that section, and subsection (4), present subsections (8) and
 1733 (16), paragraph (a) of present subsection (18), and present
 1734 subsection (20) of that section are amended, to read:

1735 1002.84 Early learning coalitions; school readiness powers
 1736 and duties.—Each early learning coalition shall:

1737 (4) Establish a regional Warm-Line as directed by the
 1738 office pursuant to s. 1002.82(2)(u) ~~s. 1002.82(2)(t)~~. Regional
 1739 Warm-Line staff shall provide onsite technical assistance, when
 1740 requested, to assist child care facilities and family day care

576-04674-21

20211282c1

1741 homes with inquiries relating to the strategies, curriculum, and
1742 environmental adaptations the child care facilities and family
1743 day care homes may need as they serve children with disabilities
1744 and other special needs.

1745 (7) Use a coordinated professional development system that
1746 supports the achievement and maintenance of core competencies by
1747 school readiness program teachers in helping children attain the
1748 performance standards adopted by the office.

1749 (9)~~(8)~~ Establish a parent sliding fee scale that provides
1750 for a parent copayment that is not a barrier to families
1751 receiving school readiness program services. ~~Providers are~~
1752 ~~required to collect the parent's copayment.~~ A coalition may, ~~on~~
1753 ~~a case-by-case basis,~~ waive the copayment for an at-risk child
1754 or temporarily waive the copayment for a child whose family's
1755 income is at or below the federal poverty level or ~~and~~ whose
1756 family experiences a natural disaster or an event that limits
1757 the parent's ability to pay, such as incarceration, placement in
1758 residential treatment, or becoming homeless, or an emergency
1759 situation such as a household fire or burglary, or while the
1760 parent is participating in parenting classes or participating in
1761 an Early Head Start program or the Head Start Program. A parent
1762 may not transfer school readiness program services to another
1763 school readiness program provider until the parent has submitted
1764 documentation from the current school readiness program provider
1765 to the early learning coalition stating that the parent has
1766 satisfactorily fulfilled the copayment obligation.

1767 (17)~~(16)~~ Adopt a payment schedule that encompasses all
1768 programs funded under this part and part V of this chapter. The
1769 payment schedule must take into consideration the prevailing

576-04674-21

20211282c1

1770 average market rate or an alternative model that has been
1771 approved by the Administration for Children and Families
1772 pursuant to 45 C.F.R. 98.45(c), include the projected number of
1773 children to be served, and be submitted for approval by the
1774 office. Informal child care arrangements shall be reimbursed at
1775 not more than 50 percent of the rate adopted for a family day
1776 care home.

1777 ~~(19)~~ ~~(18)~~ By October 1 of each year, submit an annual report
1778 to the office. The report shall conform to the format adopted by
1779 the office and must include:

1780 (a) Segregation of school readiness program funds,
1781 Voluntary Prekindergarten Education Program funds, ~~Child Care~~
1782 ~~Executive Partnership Program funds~~, and other local revenues
1783 available to the coalition.

1784 ~~(21)~~ ~~(a)~~ ~~(20)~~ To increase transparency and accountability,
1785 comply with the requirements of this section before contracting
1786 with one or more of the following persons or business entities
1787 which employs, has a contractual relationship with, or is owned
1788 by the following persons:

1789 1. A member of the coalition appointed pursuant to s.
1790 1002.83(4);

1791 2. A board member of any other early learning subrecipient
1792 entity;

1793 3. A coalition employee; or

1794 4. A relative, as defined in s. 112.3143(1)(c), of any
1795 person listed in subparagraphs 1.-3 ~~a coalition member or of an~~
1796 ~~employee of the coalition.~~

1797 (b) Such contracts may not be executed without the approval
1798 of the office. Such contracts, as well as documentation

576-04674-21

20211282c1

1799 demonstrating adherence to this section by the coalition, must
1800 be approved by a two-thirds vote of the coalition, a quorum
1801 having been established; all conflicts of interest must be
1802 disclosed before the vote; and any member who may benefit from
1803 the contract, or whose relative may benefit from the contract,
1804 must abstain from the vote. A contract under \$25,000 ~~between an~~
1805 ~~early learning coalition and a member of that coalition or~~
1806 ~~between a relative, as defined in s. 112.3143(1)(c), of a~~
1807 ~~coalition member or of an employee of the coalition~~ is not
1808 required to have the prior approval of the office but must be
1809 approved by a two-thirds vote of the coalition, a quorum having
1810 been established, and must be reported to the office within 30
1811 days after approval. If a contract cannot be approved by the
1812 office, a review of the decision to disapprove the contract may
1813 be requested by the early learning coalition or other parties to
1814 the disapproved contract.

1815 Section 25. Paragraphs (c) and (f) of subsection (2) of
1816 section 1002.85, Florida Statutes, are amended to read:

1817 1002.85 Early learning coalition plans.—

1818 (2) Each early learning coalition must biennially submit a
1819 school readiness program plan to the office before the
1820 expenditure of funds. A coalition may not implement its school
1821 readiness program plan until it receives approval from the
1822 office. A coalition may not implement any revision to its school
1823 readiness program plan until the coalition submits the revised
1824 plan to and receives approval from the office. If the office
1825 rejects a plan or revision, the coalition must continue to
1826 operate under its previously approved plan. The plan must
1827 include, but is not limited to:

576-04674-21

20211282c1

- 1828 (c) The coalition's procedures for implementing the
 1829 requirements of this part, including:
- 1830 1. Single point of entry.
 - 1831 2. Uniform waiting list.
 - 1832 3. Eligibility and enrollment processes and local
 1833 eligibility priorities for children pursuant to s. 1002.87.
 - 1834 4. Parent access and choice.
 - 1835 5. Sliding fee scale and policies on applying the waiver or
 1836 reduction of fees in accordance with s. 1002.84(9) ~~s.~~
 1837 ~~1002.84(8)~~.
 - 1838 6. Use of preassessments and postassessments, as
 1839 applicable.
 - 1840 7. Payment rate schedule.
 - 1841 8. Use of contracted slots, as applicable, based on the
 1842 results of the assessment required under paragraph (j).
- 1843 (f) A detailed accounting, in the format prescribed by the
 1844 office, of all revenues and expenditures during the previous
 1845 state fiscal year. Revenue sources should be identifiable, and
 1846 expenditures should be reported by two ~~three~~ categories: state
 1847 and federal funds and, ~~local matching funds, and Child Care~~
 1848 ~~Executive Partnership Program funds.~~
- 1849 Section 26. Paragraphs (a), (c), and (p) of subsection (1)
 1850 of section 1002.88, Florida Statutes, are amended, and paragraph
 1851 (s) is added to that subsection, to read:
- 1852 1002.88 School readiness program provider standards;
 1853 eligibility to deliver the school readiness program.—
- 1854 (1) To be eligible to deliver the school readiness program,
 1855 a school readiness program provider must:
- 1856 (a) Be a child care facility licensed under s. 402.305, a

576-04674-21

20211282c1

1857 family day care home licensed or registered under s. 402.313, a
1858 large family child care home licensed under s. 402.3131, a
1859 public school or nonpublic school exempt from licensure under s.
1860 402.3025, a faith-based child care provider exempt from
1861 licensure under s. 402.316, a before-school or after-school
1862 program described in s. 402.305(1)(c), a child development
1863 program accredited by a national accrediting body and operating
1864 on a military installation certified by the United States
1865 Department of Defense, ~~or~~ an informal child care provider to the
1866 extent authorized in the state's Child Care and Development Fund
1867 Plan as approved by the United States Department of Health and
1868 Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who
1869 has been issued a provisional license pursuant to s. 402.309. A
1870 provider may not deliver the program while holding a probation-
1871 status license under s. 402.310.

1872 (c) Provide basic health and safety of its premises and
1873 facilities and compliance with requirements for age-appropriate
1874 immunizations of children enrolled in the school readiness
1875 program.

1876 1. For a provider that is licensed, compliance with s.
1877 402.305, s. 402.3131, or s. 402.313 and this subsection, as
1878 verified pursuant to s. 402.311, satisfies this requirement.

1879 2. For a provider that is a registered family day care home
1880 or is not subject to licensure or registration by the Department
1881 of Children and Families, compliance with this subsection, as
1882 verified pursuant to s. 402.311, satisfies this requirement.
1883 Upon verification pursuant to s. 402.311, the provider shall
1884 annually post the health and safety checklist adopted by the
1885 office prominently on its premises in plain sight for visitors

576-04674-21

20211282c1

1886 and parents and shall annually submit the checklist to its local
1887 early learning coalition.

1888 3. For a child development program accredited by a national
1889 accrediting body and operating on a military installation
1890 certified by the United States Department of Defense, the
1891 submission and verification of annual inspections pursuant to
1892 United States Department of Defense Instructions 6060.2 and
1893 1402.05 satisfies this requirement.

1894 (p) Notwithstanding paragraph (m), for a provider that is a
1895 state agency or a subdivision thereof, as defined in s.
1896 768.28(2), agree to notify the coalition of any additional
1897 liability coverage maintained by the provider in addition to
1898 that otherwise established under s. 768.28. The provider shall
1899 indemnify the coalition to the extent permitted by s. 768.28.
1900 Notwithstanding paragraph (m), for a child development program
1901 accredited by a national accrediting body and operating on a
1902 military installation certified by the United States Department
1903 of Defense, the provider may demonstrate liability coverage by
1904 affirming that it is subject to the Federal Tort Claims Act, 28
1905 U.S.C. ss. 2671 et seq.

1906 (s) Collect all parent copayment fees unless a waiver has
1907 been granted under s. 1002.84(9).

1908 Section 27. Paragraph (a) of subsection (1), paragraph (a)
1909 of subsection (2), and subsections (4) and (6) of section
1910 1002.895, Florida Statutes, are amended to read:

1911 1002.895 Market rate schedule.—The school readiness program
1912 market rate schedule shall be implemented as follows:

1913 (1) The office shall establish procedures for the adoption
1914 of a market rate schedule until an alternative model that has

576-04674-21

20211282c1

1915 been approved by the Administration for Children and Families
1916 pursuant to 45 C.F.R. s. 98.45(c) is available for adoption. The
1917 schedule must include, at a minimum, county-by-county rates:

1918 (a) The market rate, including the minimum and the maximum
1919 rates for child care providers that hold a Gold Seal Quality
1920 Care designation under s. 1002.945 and adhere to its accrediting
1921 association's teacher-to-child ratios and group size
1922 requirements ~~s. 402.281~~.

1923 (2) The market rate schedule, at a minimum, must:

1924 (a) Differentiate rates by type, including, but not limited
1925 to, a child care provider that holds a Gold Seal Quality Care
1926 designation under s. 1002.945 and adheres to its accrediting
1927 association's teacher-to-child ratios and group size
1928 requirements ~~s. 402.281~~, a child care facility licensed under s.
1929 402.305, a public or nonpublic school exempt from licensure
1930 under s. 402.3025, a faith-based child care facility exempt from
1931 licensure under s. 402.316 that does not hold a Gold Seal
1932 Quality Care designation, a large family child care home
1933 licensed under s. 402.3131, or a family day care home licensed
1934 or registered under s. 402.313.

1935 (4) The market rate schedule shall be considered by an
1936 early learning coalition in the adoption of a payment schedule.
1937 The payment schedule must take into consideration the prevailing
1938 ~~average~~ market rate and ~~and~~ include the projected number of
1939 children to be served by each county ~~and~~ and be submitted for
1940 approval by the office. Informal child care arrangements shall
1941 be reimbursed at not more than 50 percent of the rate adopted
1942 for a family day care home.

1943 (6) The office may adopt rules for establishing procedures

576-04674-21

20211282c1

1944 for the collection of child care providers' market rate, the
1945 calculation of the prevailing ~~average~~ market rate by program
1946 care level and provider type in a predetermined geographic
1947 market, and the publication of the market rate schedule.

1948 Section 28. Subsection (1) and paragraphs (a), (c), and (d)
1949 of subsection (3) of section 1002.92, Florida Statutes, are
1950 amended to read:

1951 1002.92 Child care and early childhood resource and
1952 referral.—

1953 (1) As a part of the school readiness program, the office
1954 shall establish a statewide child care resource and referral
1955 network that is unbiased and provides referrals to families for
1956 child care and information on available community resources.
1957 Preference shall be given to using early learning coalitions as
1958 the child care resource and referral agencies. If an early
1959 learning coalition cannot comply with the requirements to offer
1960 the resource information component or does not want to offer
1961 that service, the early learning coalition shall select the
1962 resource and referral agency for its county or multicounty
1963 region based upon the procurement requirements of s. 1002.84(13)
1964 ~~s. 1002.84(12)~~.

1965 (3) Child care resource and referral agencies shall provide
1966 the following services:

1967 (a) Identification of existing public and private child
1968 care and early childhood education services, including child
1969 care services by public and private employers, and the
1970 development of an early learning provider performance profile ~~a~~
1971 ~~resource file~~ of those services through the single statewide
1972 information system developed by the office under s.

576-04674-21

20211282c1

1973 1002.82(2)(q) ~~s. 1002.82(2)(p)~~. These services may include
 1974 family day care, public and private child care programs, the
 1975 Voluntary Prekindergarten Education Program, Head Start, the
 1976 school readiness program, special education programs for
 1977 prekindergarten children with disabilities, services for
 1978 children with developmental disabilities, full-time and part-
 1979 time programs, before-school and after-school programs, and
 1980 vacation care programs, ~~parent education, the temporary cash~~
 1981 ~~assistance program, and related family support services~~. The
 1982 early learning provider performance profile resource file shall
 1983 include, but not be limited to:

- 1984 1. Type of program.
- 1985 2. Hours of service.
- 1986 3. Ages of children served.
- 1987 4. Number of children served.
- 1988 5. Program information.
- 1989 6. Fees and eligibility for services.
- 1990 7. Availability of transportation.
- 1991 8. Participation in the Child Care Food Program, if
 1992 applicable.
- 1993 9. A link to licensing inspection reports, if applicable.
- 1994 10. The components of the Voluntary Prekindergarten
 1995 Education Program performance metric calculated under s. 1002.68
 1996 that must consist of the program assessment composite score,
 1997 learning gains score, achievement score, and its designations,
 1998 if applicable.
- 1999 11. The school readiness program assessment composite score
 2000 and program assessment care level composite score results
 2001 delineated by infant classrooms, toddler classrooms, and

576-04674-21

20211282c1

2002 preschool classrooms results under s. 1002.82, if applicable.

2003 12. Gold Seal Quality Care designation under s. 1002.945,
2004 if applicable.

2005 13. Indication of whether the provider implements a
2006 curriculum approved by the office and the name of the
2007 curriculum, if applicable.

2008 14. Participation in school readiness child assessment
2009 under s. 1002.82.

2010 (c) Maintenance of ongoing documentation of requests for
2011 service tabulated through the internal referral process through
2012 the single statewide information system. The following
2013 documentation of requests for service shall be maintained by the
2014 child care resource and referral network:

2015 1. Number of calls and contacts to the child care resource
2016 information and referral network component by type of service
2017 requested.

2018 2. Ages of children for whom service was requested.

2019 3. Time category of child care requests for each child.

2020 4. Special time category, such as nights, weekends, and
2021 swing shift.

2022 5. Reason that the child care is needed.

2023 6. Customer service survey data required under s.
2024 1002.82(3) ~~Name of the employer and primary focus of the~~
2025 ~~business for an employer-based child care program.~~

2026 (d) Assistance to families which connects them to parent
2027 education opportunities, the temporary cash assistance program,
2028 or social services programs that support families with children,
2029 and related child development support services ~~Provision of~~
2030 ~~technical assistance to existing and potential providers of~~

576-04674-21

20211282c1

2031 ~~child care services. This assistance may include:~~

2032 ~~1. Information on initiating new child care services,~~
2033 ~~zoning, and program and budget development and assistance in~~
2034 ~~finding such information from other sources.~~

2035 ~~2. Information and resources which help existing child care~~
2036 ~~services providers to maximize their ability to serve children~~
2037 ~~and parents in their community.~~

2038 ~~3. Information and incentives that may help existing or~~
2039 ~~planned child care services offered by public or private~~
2040 ~~employers seeking to maximize their ability to serve the~~
2041 ~~children of their working parent employees in their community,~~
2042 ~~through contractual or other funding arrangements with~~
2043 ~~businesses.~~

2044 Section 29. Section 402.281, Florida Statutes, is
2045 transferred, renumbered as section 1002.945, Florida Statutes,
2046 and amended to read:

2047 1002.945 ~~402.281~~ Gold Seal Quality Care program.—

2048 (1) (a) There is established within the Office of Early
2049 Learning ~~department~~ the Gold Seal Quality Care Program.

2050 (b) A child care facility, large family child care home, or
2051 family day care home that is accredited by an accrediting
2052 association approved by the office ~~department~~ under subsection
2053 (3) and meets all other requirements shall, upon application to
2054 the department, receive a separate "Gold Seal Quality Care"
2055 designation.

2056 (2) The office ~~department~~ shall adopt rules establishing
2057 Gold Seal Quality Care accreditation standards using nationally
2058 recognized accrediting standards and input from accrediting
2059 associations ~~based on the applicable accrediting standards of~~

576-04674-21

20211282c1

2060 ~~the National Association for the Education of Young Children~~
2061 ~~(NAEYC), the National Association of Family Child Care, and the~~
2062 ~~National Early Childhood Program Accreditation Commission.~~

2063 (3) (a) In order to be approved by the office ~~department~~ for
2064 participation in the Gold Seal Quality Care program, an
2065 accrediting association must apply to the office ~~department~~ and
2066 demonstrate that it:

2067 1. Is a recognized accrediting association.

2068 2. Has accrediting standards that substantially meet or
2069 exceed the Gold Seal Quality Care standards adopted by the
2070 office ~~department~~ under subsection (2).

2071 3. Is a registered corporation with the Department of
2072 State.

2073 4. Can provide evidence that the process for accreditation
2074 has, at a minimum, all of the following components:

2075 a. Clearly defined prerequisites that a child care provider
2076 must meet before beginning the accreditation process. However,
2077 accreditation may not be granted to a child care facility, large
2078 family child care home, or family day care home before the site
2079 is operational and is attended by children.

2080 b. Procedures for completion of a self-study and
2081 comprehensive onsite verification process for each classroom
2082 that documents compliance with accrediting standards.

2083 c. A training process for accreditation verifiers to ensure
2084 inter-rater reliability.

2085 d. Ongoing compliance procedures that include requiring
2086 each accredited child care facility, large family child care
2087 home, and family day care home to file an annual report with the
2088 accrediting association and risk-based, onsite auditing

576-04674-21

20211282c1

2089 protocols for accredited child care facilities, large family
2090 child care homes, and family day care homes.

2091 e. Procedures for the revocation of accreditation due to
2092 failure to maintain accrediting standards as evidenced by sub-
2093 subparagraph d. or any other relevant information received by
2094 the accrediting association.

2095 f. Accreditation renewal procedures that include an onsite
2096 verification occurring at least every 5 years.

2097 g. A process for verifying continued accreditation
2098 compliance in the event of a transfer of ownership of
2099 facilities.

2100 h. A process to communicate issues that arise during the
2101 accreditation period with governmental entities that have a
2102 vested interest in the Gold Seal Quality Care Program, including
2103 the office, the Department of Children and Families, the
2104 Department of Health, local licensing entities if applicable,
2105 and the early learning coalition.

2106 (b) The office shall establish a process that verifies that
2107 the accrediting association meets the provisions of paragraph
2108 (a), which must include an auditing program and any other
2109 procedures that may reasonably determine an accrediting
2110 association's compliance with this section. If an accrediting
2111 association is not in compliance and fails to cure its
2112 deficiencies within 30 days, the office shall recommend to the
2113 state board termination of the accrediting association's
2114 participation as an accrediting association in the program for a
2115 period of at least 2 years but no more than 5 years. If an
2116 accrediting association is removed from being an approved
2117 accrediting association, each child care provider accredited by

576-04674-21

20211282c1

2118 that association shall have up to 1 year to obtain a new
2119 accreditation from an office approved accreditation association.

2120 (c) If an accrediting association has granted accreditation
2121 to a child care facility, large family child care home, or
2122 family day care under fraudulent terms or failed to conduct
2123 onsite verifications, the accrediting association shall be
2124 liable for the repayment of any rate differentials paid under
2125 subsection (6).

2126 ~~(b) In approving accrediting associations, the department~~
2127 ~~shall consult with the Department of Education, the Florida Head~~
2128 ~~Start Directors Association, the Florida Association of Child~~
2129 ~~Care Management, the Florida Family Child Care Home Association,~~
2130 ~~the Florida Children's Forum, the Florida Association for the~~
2131 ~~Education of the Young, the Child Development Education~~
2132 ~~Alliance, the Florida Association of Academic Nonpublic Schools,~~
2133 ~~the Association of Early Learning Coalitions, providers~~
2134 ~~receiving exemptions under s. 402.316, and parents.~~

2135 (4) In order to obtain and maintain a designation as a Gold
2136 Seal Quality Care provider, a child care facility, large family
2137 child care home, or family day care home must meet the following
2138 additional criteria:

2139 (a) The child care provider must not have had any class I
2140 violations, as defined by rule of the Department of Children and
2141 Families, within the 2 years preceding its application for
2142 designation as a Gold Seal Quality Care provider. Commission of
2143 a class I violation shall be grounds for termination of the
2144 designation as a Gold Seal Quality Care provider until the
2145 provider has no class I violations for a period of 2 years.

2146 (b) The child care provider must not have had three or more

576-04674-21

20211282c1

2147 class II violations, as defined by rule of the Department of
2148 Children and Families, within the 2 years preceding its
2149 application for designation as a Gold Seal Quality Care
2150 provider. Commission of three or more class II violations within
2151 a 2-year period shall be grounds for termination of the
2152 designation as a Gold Seal Quality Care provider until the
2153 provider has no class II violations for a period of 1 year.

2154 (c) The child care provider must not have been cited for
2155 the same class III violation, as defined by rule of the
2156 Department of Children and Families, three or more times and
2157 failed to correct the violation within 1 year after the date of
2158 each citation, within the 2 years preceding its application for
2159 designation as a Gold Seal Quality Care provider. Commission of
2160 the same class III violation three or more times and failure to
2161 correct within the required time during a 2-year period may be
2162 grounds for termination of the designation as a Gold Seal
2163 Quality Care provider until the provider has no class III
2164 violations for a period of 1 year.

2165 (d) Notwithstanding paragraph (a), if the office determines
2166 through a formal process that a provider has been in business
2167 for at least 5 years and has no other class I violations
2168 recorded, the office may recommend to the state board that the
2169 provider maintain its Gold Seal Quality Care status. The state
2170 board's determination regarding such provider's status is final.

2171 (5) A child care facility licensed pursuant to s. 402.305
2172 or a child care facility exempt from licensing pursuant to s.
2173 402.316 which achieves Gold Seal Quality Care status under this
2174 section shall be considered an educational institution for the
2175 purpose of qualifying for exemption from ad valorem tax under s.

576-04674-21

20211282c1

2176 196.198.

2177 (6) A child care facility licensed pursuant to s. 402.305
 2178 or a child care facility exempt from licensing pursuant to s.
 2179 402.316 which achieves Gold Seal Quality Care status under this
 2180 section and which participates in the school readiness program
 2181 shall receive a minimum of a 20 percent rate differential for
 2182 each enrolled school readiness child by care level and unit of
 2183 child care.

2184 (7)~~(5)~~ The office ~~Department of Children and Families~~ shall
 2185 adopt rules under ss. 120.536(1) and 120.54 which provide
 2186 criteria and procedures for reviewing and approving accrediting
 2187 associations for participation in the Gold Seal Quality Care
 2188 program and~~7~~ conferring and revoking designations of Gold Seal
 2189 Quality Care providers, ~~and classifying violations.~~

2190 Section 30. Section 1008.2125, Florida Statutes, is created
 2191 to read:

2192 1008.2125 Coordinated screening and progress monitoring
 2193 program for students in the Voluntary Prekindergarten Education
 2194 Program through grade 3.—

2195 (1) The primary purpose of the coordinated screening and
 2196 progress monitoring program for students in the Voluntary
 2197 Prekindergarten Education Program through grade 3 is to provide
 2198 information on students' progress in mastering the appropriate
 2199 grade level standards and to provide information on their
 2200 progress to parents, teachers, and school and program
 2201 administrators. Data shall be used by Voluntary Prekindergarten
 2202 Education Program providers and school districts to improve
 2203 instruction, by parents and teachers to guide learning
 2204 objectives and provide timely and appropriate supports and

576-04674-21

20211282c1

2205 interventions to students not meeting grade level expectations,
2206 and by the public to assess the cost benefit of the expenditure
2207 of taxpayer dollars. The coordinated screening and progress
2208 monitoring program must:

2209 (a) Assess the progress of students in the Voluntary
2210 Prekindergarten Education Program through grade 3 in meeting the
2211 appropriate expectations in early literacy and math skills and
2212 in English Language Arts and mathematics, as required by ss.
2213 1002.67(1)(a) and 1003.41.

2214 (b) Provide data for accountability of the Voluntary
2215 Prekindergarten Education Program, as required by s. 1002.68.

2216 (c) Provide baseline data to the department of each
2217 student's readiness for kindergarten, which must be based on
2218 each kindergarten student's progress monitoring results within
2219 the first 30 days of enrollment in accordance with paragraph
2220 (2)(a). The methodology for determining a student's readiness
2221 for kindergarten shall be developed by the department and
2222 aligned to the methodology adopted by the Office of Early
2223 Learning in s. 1002.68(4).

2224 (d) Identify the educational strengths and needs of
2225 students in the Voluntary Prekindergarten Education Program
2226 through grade 3.

2227 (e) Provide teachers with progress monitoring data to
2228 provide timely interventions and supports pursuant to s.
2229 1008.25(4).

2230 (f) Assess how well educational goals and curricular
2231 standards are met at the provider, school, district, and state
2232 levels.

2233 (g) Provide information to aid in the evaluation and

576-04674-21

20211282c1

2234 development of educational programs and policies.

2235 (2) The Commissioner of Education shall design a statewide,
2236 standardized coordinated screening and progress monitoring
2237 program to assess early literacy and mathematics skills and the
2238 English Language Arts and mathematics standards established in
2239 ss. 1002.67(1)(a) and 1003.41, respectively. The coordinated
2240 screening and progress monitoring program must provide interval
2241 level and norm-referenced data that measures equivalent levels
2242 of growth; be a developmentally appropriate, valid, and reliable
2243 direct assessment; be able to capture data on students who may
2244 be performing below grade or developmental level and which may
2245 enable the identification of early indicators of dyslexia or
2246 other developmental delays; accurately measure the core content
2247 in the applicable grade level standards; document learning gains
2248 for the achievement of these standards; and provide teachers
2249 with progress monitoring supports and materials that enhance
2250 differentiated instruction and parent communication.

2251 Participation in the coordinated screening and progress
2252 monitoring program is mandatory for all students in the
2253 Voluntary Prekindergarten Education Program and enrolled in a
2254 public school in kindergarten through grade 3. The coordinated
2255 screening and progress monitoring program shall be implemented
2256 beginning in the 2022-2023 school year for students in the
2257 Voluntary Prekindergarten Education Program and kindergarten
2258 students, as follows:

2259 (a) The coordinated screening and progress monitoring
2260 program shall be administered within the first 30 days after
2261 enrollment, midyear, and within the last 30 days of the program
2262 or school year, in accordance with the rules adopted by the

576-04674-21

20211282c1

2263 State Board of Education. The state board may adopt alternate
2264 timeframes to address nontraditional school year calendars or
2265 summer programs to ensure administration of the coordinated
2266 screening and progress monitoring program is administered a
2267 minimum of 3 times within a year or program.

2268 (b) The results of the coordinated screening and progress
2269 monitoring program shall be reported to the department, in
2270 accordance with the rules adopted by the state board, and
2271 maintained in the department's educational data warehouse.

2272 (3) The Commissioner of Education shall:

2273 (a) Develop a plan, in coordination with the Council for
2274 Early Grade Success, for implementing the coordinated screening
2275 and progress monitoring program in consideration of timelines
2276 for implementing new early literacy and mathematics skills and
2277 the English Language Arts and mathematics standards established
2278 in ss. 1002.67(1)(a) and 1003.41, as appropriate.

2279 (b) Provide data, reports, and information as requested to
2280 the Council for Early Grade Success.

2281 (4) The Council for Early Grade Success, a council as
2282 defined in s. 20.03(7), is created within the Department of
2283 Education to oversee the coordinated screening and progress
2284 monitoring program and, except as otherwise provided in this
2285 section, shall operate consistent with s. 20.052.

2286 (a) The council shall be responsible for reviewing the
2287 implementation of, training for, and outcomes from the
2288 coordinated screening and progress monitoring program to provide
2289 recommendations to the department that support grade 3 students
2290 reading at or above grade level. The council, at a minimum,
2291 shall:

576-04674-21

20211282c1

2292 1. Provide recommendations on the implementation of the
2293 coordinated screening and progress monitoring program, including
2294 reviewing any procurement solicitation documents and criteria
2295 before being published.

2296 2. Develop training plans and timelines for such training.

2297 3. Identify appropriate personnel, processes, and
2298 procedures required for the administration of the coordinated
2299 screening and progress monitoring program.

2300 4. Provide input on the methodology for calculating a
2301 provider's or school's performance metric and designations under
2302 s. 1002.68(4).

2303 5. Work with the department to review the methodology for
2304 determining a child's kindergarten readiness.

2305 6. Review data on age-appropriate learning gains by grade
2306 level that a student would need to attain in order to
2307 demonstrate proficiency in reading by grade 3.

2308 7. Continually review anonymized data from the results of
2309 the coordinated screening and progress monitoring program for
2310 students in the Voluntary Prekindergarten Education Program
2311 through grade 3 to help inform recommendations to the department
2312 that support practices that will enable grade 3 students to read
2313 at or above grade level.

2314 (b) The council shall be composed of 17 members who are
2315 residents of this state and appointed, as follows:

2316 1. Three members appointed by the Governor, as follows:

2317 a. One representative from the Department of Education.

2318 b. One parent of a child who is 4 to 9 years of age.

2319 c. One representative who is a school principal.

2320 2. Seven members appointed by the President of the Senate,

576-04674-21

20211282c1

2321 as follows:

2322 a. One senator who serves at the pleasure of the President

2323 of the Senate.

2324 b. One representative of an urban school district.

2325 c. One representative of a rural early learning coalition.

2326 d. One representative of a faith-based early learning

2327 provider that offers the Voluntary Prekindergarten Education

2328 Program.

2329 e. One representative who is a second grade teacher with at

2330 least 5 years of teaching experience.

2331 f. Two representatives with subject matter expertise in

2332 early learning, early grade success, or child assessments.

2333 3. Seven members appointed by the Speaker of the House of

2334 Representatives, as follows:

2335 a. One member of the House of Representatives who serves at

2336 the pleasure of the Speaker of the House.

2337 b. One representative of a rural school district.

2338 c. One representative of an urban early learning coalition.

2339 d. One representative of an early learning provider that

2340 offers the Voluntary Prekindergarten Education Program.

2341 e. One member who is a kindergarten teacher with at least 5

2342 years of teaching experience.

2343 f. Two representatives with subject matter expertise in

2344 early learning, early grade success, or child assessment.

2345 (5) The four representatives with subject matter expertise

2346 in sub-subparagraphs (4) (b)2.f. and (4) (b)3.f. may not be direct

2347 stakeholders within the early learning or public school systems

2348 or potential recipients of a contract resulting from the

2349 council's recommendations.

576-04674-21

20211282c1

2350 (6) The council shall elect a chair and vice chair, one of
2351 whom must be a member who has subject matter expertise in early
2352 learning, early grade success, or child assessments. The vice
2353 chair must be a member appointed by the President of the Senate
2354 or the Speaker of the House of Representatives who is not one of
2355 the four members with subject matter expertise in early
2356 learning, early grade success, or child assessments. Members of
2357 the council shall serve without compensation but are entitled to
2358 reimbursement for per diem and travel expenses pursuant to s.
2359 112.061.

2360 (7) The council must meet at least biannually and may meet
2361 by teleconference or other electronic means, if possible, to
2362 reduce costs.

2363 (8) A majority of the members constitutes a quorum.

2364 Section 31. Present paragraphs (b) and (c) of subsection
2365 (5) of section 1008.25, Florida Statutes, are redesignated as
2366 paragraphs (c) and (d), respectively, a new paragraph (b) is
2367 added to that subsection, and paragraph (b) of subsection (6),
2368 subsection (7), and paragraph (a) of subsection (8) are amended,
2369 to read:

2370 1008.25 Public school student progression; student support;
2371 reporting requirements.—

2372 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

2373 (b) Any Voluntary Prekindergarten Education Program student
2374 who exhibits a substantial deficiency in early literacy in
2375 accordance with the standards under s. 1002.67(1)(a) and based
2376 upon the results of the administration of the final coordinated
2377 screening and progress monitoring under s. 1008.2125 shall be
2378 referred to the local school district and may be eligible to

576-04674-21

20211282c1

2379 receive intensive reading interventions before participating in
2380 kindergarten. Such intensive reading interventions shall be paid
2381 for using funds from the district's research-based reading
2382 instruction allocation in accordance with s. 1011.62(9).

2383 (6) ELIMINATION OF SOCIAL PROMOTION.—

2384 (b) The district school board may only exempt students from
2385 mandatory retention, as provided in paragraph (5)(c) ~~(5)(b)~~, for
2386 good cause. A student who is promoted to grade 4 with a good
2387 cause exemption shall be provided intensive reading instruction
2388 and intervention that include specialized diagnostic information
2389 and specific reading strategies to meet the needs of each
2390 student so promoted. The school district shall assist schools
2391 and teachers with the implementation of explicit, systematic,
2392 and multisensory reading instruction and intervention strategies
2393 for students promoted with a good cause exemption which research
2394 has shown to be successful in improving reading among students
2395 who have reading difficulties. Good cause exemptions are limited
2396 to the following:

2397 1. Limited English proficient students who have had less
2398 than 2 years of instruction in an English for Speakers of Other
2399 Languages program based on the initial date of entry into a
2400 school in the United States.

2401 2. Students with disabilities whose individual education
2402 plan indicates that participation in the statewide assessment
2403 program is not appropriate, consistent with the requirements of
2404 s. 1008.212.

2405 3. Students who demonstrate an acceptable level of
2406 performance on an alternative standardized reading or English
2407 Language Arts assessment approved by the State Board of

576-04674-21

20211282c1

2408 Education.

2409 4. A student who demonstrates through a student portfolio
2410 that he or she is performing at least at Level 2 on the
2411 statewide, standardized English Language Arts assessment.

2412 5. Students with disabilities who take the statewide,
2413 standardized English Language Arts assessment and who have an
2414 individual education plan or a Section 504 plan that reflects
2415 that the student has received intensive instruction in reading
2416 or English Language Arts for more than 2 years but still
2417 demonstrates a deficiency and was previously retained in
2418 kindergarten, grade 1, grade 2, or grade 3.

2419 6. Students who have received intensive reading
2420 intervention for 2 or more years but still demonstrate a
2421 deficiency in reading and who were previously retained in
2422 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
2423 years. A student may not be retained more than once in grade 3.

2424 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
2425 STUDENTS.—

2426 (a) Students retained under paragraph (5) (c) ~~(5) (b)~~ must be
2427 provided intensive interventions in reading to ameliorate the
2428 student's specific reading deficiency and prepare the student
2429 for promotion to the next grade. These interventions must
2430 include:

2431 1. Evidence-based, explicit, systematic, and multisensory
2432 reading instruction in phonemic awareness, phonics, fluency,
2433 vocabulary, and comprehension and other strategies prescribed by
2434 the school district.

2435 2. Participation in the school district's summer reading
2436 camp, which must incorporate the instructional and intervention

576-04674-21

20211282c1

2437 strategies under subparagraph 1.

2438 3. A minimum of 90 minutes of daily, uninterrupted reading
2439 instruction incorporating the instructional and intervention
2440 strategies under subparagraph 1. This instruction may include:

2441 a. Integration of content-rich texts in science and social
2442 studies within the 90-minute block.

2443 b. Small group instruction.

2444 c. Reduced teacher-student ratios.

2445 d. More frequent progress monitoring.

2446 e. Tutoring or mentoring.

2447 f. Transition classes containing 3rd and 4th grade
2448 students.

2449 g. Extended school day, week, or year.

2450 (b) Each school district shall:

2451 1. Provide written notification to the parent of a student
2452 who is retained under paragraph (5) (c) ~~(5) (b)~~ that his or her
2453 child has not met the proficiency level required for promotion
2454 and the reasons the child is not eligible for a good cause
2455 exemption as provided in paragraph (6) (b). The notification must
2456 comply with paragraph (5) (d) ~~(5) (e)~~ and must include a
2457 description of proposed interventions and supports that will be
2458 provided to the child to remediate the identified areas of
2459 reading deficiency.

2460 2. Implement a policy for the midyear promotion of a
2461 student retained under paragraph (5) (c) ~~(5) (b)~~ who can
2462 demonstrate that he or she is a successful and independent
2463 reader and performing at or above grade level in reading or,
2464 upon implementation of English Language Arts assessments,
2465 performing at or above grade level in English Language Arts.

576-04674-21

20211282c1

2466 Tools that school districts may use in reevaluating a student
2467 retained may include subsequent assessments, alternative
2468 assessments, and portfolio reviews, in accordance with rules of
2469 the State Board of Education. Students promoted during the
2470 school year after November 1 must demonstrate proficiency levels
2471 in reading equivalent to the level necessary for the beginning
2472 of grade 4. The rules adopted by the State Board of Education
2473 must include standards that provide a reasonable expectation
2474 that the student's progress is sufficient to master appropriate
2475 grade 4 level reading skills.

2476 3. Provide students who are retained under paragraph (5) (c)
2477 ~~(5) (b)~~, including students participating in the school
2478 district's summer reading camp under subparagraph (a)2., with a
2479 highly effective teacher as determined by the teacher's
2480 performance evaluation under s. 1012.34, and, beginning July 1,
2481 2020, the teacher must also be certified or endorsed in reading.

2482 4. Establish at each school, when applicable, an intensive
2483 reading acceleration course for any student retained in grade 3
2484 who was previously retained in kindergarten, grade 1, or grade
2485 2. The intensive reading acceleration course must provide the
2486 following:

2487 a. Uninterrupted reading instruction for the majority of
2488 student contact time each day and opportunities to master the
2489 grade 4 Next Generation Sunshine State Standards in other core
2490 subject areas through content-rich texts.

2491 b. Small group instruction.

2492 c. Reduced teacher-student ratios.

2493 d. The use of explicit, systematic, and multisensory
2494 reading interventions, including intensive language, phonics,

576-04674-21

20211282c1

2495 and vocabulary instruction, and use of a speech-language
2496 therapist if necessary, that have proven results in accelerating
2497 student reading achievement within the same school year.

2498 e. A read-at-home plan.

2499 (8) ANNUAL REPORT.—

2500 (a) In addition to the requirements in paragraph (5) (c)
2501 ~~(5) (b)~~, each district school board must annually report to the
2502 parent of each student the progress of the student toward
2503 achieving state and district expectations for proficiency in
2504 English Language Arts, science, social studies, and mathematics.
2505 The district school board must report to the parent the
2506 student's results on each statewide, standardized assessment.
2507 The evaluation of each student's progress must be based upon the
2508 student's classroom work, observations, tests, district and
2509 state assessments, response to intensive interventions provided
2510 under paragraph (5) (a), and other relevant information. Progress
2511 reporting must be provided to the parent in writing in a format
2512 adopted by the district school board.

2513 Section 32. Subsection (9) of section 1011.62, Florida
2514 Statutes, is amended to read:

2515 1011.62 Funds for operation of schools.—If the annual
2516 allocation from the Florida Education Finance Program to each
2517 district for operation of schools is not determined in the
2518 annual appropriations act or the substantive bill implementing
2519 the annual appropriations act, it shall be determined as
2520 follows:

2521 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

2522 (a) The research-based reading instruction allocation is
2523 created to provide comprehensive reading instruction to students

576-04674-21

20211282c1

2524 in kindergarten through grade 12, including certain students who
2525 exhibit a substantial deficiency in early literacy and who
2526 completed the Voluntary Prekindergarten Education Program
2527 pursuant to s. 1008.25(5)(b). Each school district that has one
2528 or more of the 300 lowest-performing elementary schools based on
2529 a 3-year average of the state reading assessment data must use
2530 the school's portion of the allocation to provide an additional
2531 hour per day of intensive reading instruction for the students
2532 in each school. The additional hour may be provided within the
2533 school day. Students enrolled in these schools who earned a
2534 level 4 or level 5 score on the statewide, standardized English
2535 Language Arts assessment for the previous school year may
2536 participate in the additional hour of instruction. Exceptional
2537 student education centers may not be included in the 300
2538 schools. The intensive reading instruction delivered in this
2539 additional hour shall include: research-based reading
2540 instruction that has been proven to accelerate progress of
2541 students exhibiting a reading deficiency; differentiated
2542 instruction based on screening, diagnostic, progress monitoring,
2543 or student assessment data to meet students' specific reading
2544 needs; explicit and systematic reading strategies to develop
2545 phonemic awareness, phonics, fluency, vocabulary, and
2546 comprehension, with more extensive opportunities for guided
2547 practice, error correction, and feedback; and the integration of
2548 social studies, science, and mathematics-text reading, text
2549 discussion, and writing in response to reading.

2550 (b) Funds for comprehensive, research-based reading
2551 instruction shall be allocated annually to each school district
2552 in the amount provided in the General Appropriations Act. Each

576-04674-21

20211282c1

2553 eligible school district shall receive the same minimum amount
2554 as specified in the General Appropriations Act, and any
2555 remaining funds shall be distributed to eligible school
2556 districts based on each school district's proportionate share of
2557 K-12 base funding.

2558 (c) Funds allocated under this subsection must be used to
2559 provide a system of comprehensive reading instruction to
2560 students enrolled in the K-12 programs and certain students who
2561 exhibit a substantial deficiency in early literacy and who
2562 completed the Voluntary Prekindergarten Education Program
2563 pursuant to s. 1008.25(5)(b), which may include the following:

2564 1. An additional hour per day of evidence-based intensive
2565 reading instruction to students in the 300 lowest-performing
2566 elementary schools by teachers and reading specialists who have
2567 demonstrated effectiveness in teaching reading as required in
2568 paragraph (a).

2569 2. Kindergarten through grade 5 evidence-based ~~reading~~
2570 ~~intervention~~ teachers to provide intensive reading interventions
2571 provided by reading intervention teachers ~~intervention~~ during
2572 the school day and in the required extra hour for students
2573 identified as having a reading deficiency.

2574 3. Highly qualified reading coaches to specifically support
2575 teachers in making instructional decisions based on student
2576 data, and improve teacher delivery of effective reading
2577 instruction, intervention, and reading in the content areas
2578 based on student need.

2579 4. Professional development for school district teachers in
2580 scientifically based reading instruction, including strategies
2581 to teach reading in content areas and with an emphasis on

576-04674-21

20211282c1

2582 technical and informational text, to help school district
2583 teachers earn a certification or an endorsement in reading.

2584 5. Summer reading camps, using only teachers or other
2585 district personnel who are certified or endorsed in reading
2586 consistent with s. 1008.25(7)(b)3., for all students in
2587 kindergarten through grade 2 who demonstrate a reading
2588 deficiency as determined by district and state assessments, ~~and~~
2589 students in grades 3 through 5 who score at Level 1 on the
2590 statewide, standardized English Language Arts assessment, and
2591 certain students who exhibit a substantial deficiency in early
2592 literacy and who completed the Voluntary Prekindergarten
2593 Education Program pursuant to s. 1008.25(5)(b).

2594 6. Scientifically researched and evidence-based
2595 supplemental instructional materials ~~that are grounded in~~
2596 ~~scientifically based reading research~~ as identified by the Just
2597 Read, Florida! Office pursuant to s. 1001.215(8).

2598 7. Evidence-based intensive interventions for students in
2599 kindergarten through grade 12 who have been identified as having
2600 a reading deficiency or who are reading below grade level as
2601 determined by the statewide, standardized English Language Arts
2602 assessment or for certain students who exhibit a substantial
2603 deficiency in early literacy and who completed the Voluntary
2604 Prekindergarten Education Program pursuant to s. 1008.25(5)(b).

2605 (d)1. Annually, by a date determined by the Department of
2606 Education but before May 1, school districts shall submit a ~~K-12~~
2607 comprehensive reading plan for the specific use of the research-
2608 based reading instruction allocation in the format prescribed by
2609 the department for review and approval by the Just Read,
2610 Florida! Office created pursuant to s. 1001.215. The plan

576-04674-21

20211282c1

2611 annually submitted by school districts shall be deemed approved
2612 unless the department rejects the plan on or before June 1. If a
2613 school district and the Just Read, Florida! Office cannot reach
2614 agreement on the contents of the plan, the school district may
2615 appeal to the State Board of Education for resolution. School
2616 districts shall be allowed reasonable flexibility in designing
2617 their plans and shall be encouraged to offer reading
2618 intervention through innovative methods, including career
2619 academies. The plan format shall be developed with input from
2620 school district personnel, including teachers and principals,
2621 and shall provide for intensive reading interventions through
2622 integrated curricula, provided that, beginning with the 2020-
2623 2021 school year, the interventions are delivered by a teacher
2624 who is certified or endorsed in reading. Such interventions must
2625 incorporate evidence-based strategies identified by the Just
2626 Read, Florida! Office pursuant to s. 1001.215(8). No later than
2627 July 1 annually, the department shall release the school
2628 district's allocation of appropriated funds to those districts
2629 having approved plans. A school district that spends 100 percent
2630 of this allocation on its approved plan shall be deemed to have
2631 been in compliance with the plan. The department may withhold
2632 funds upon a determination that reading instruction allocation
2633 funds are not being used to implement the approved plan. The
2634 department shall monitor and track the implementation of each
2635 district plan, including conducting site visits and collecting
2636 specific data on expenditures and reading improvement results.
2637 By February 1 of each year, the department shall report its
2638 findings to the Legislature.

2639 2. Each school district that has a school designated as one

576-04674-21

20211282c1

2640 of the 300 lowest-performing elementary schools as specified in
2641 paragraph (a) shall specifically delineate in the comprehensive
2642 reading plan, or in an addendum to the comprehensive reading
2643 plan, the implementation design and reading intervention
2644 strategies that will be used for the required additional hour of
2645 reading instruction. The term "reading intervention" includes
2646 evidence-based strategies frequently used to remediate reading
2647 deficiencies and also includes individual instruction, tutoring,
2648 mentoring, or the use of technology that targets specific
2649 reading skills and abilities.

2650
2651 For purposes of this subsection, the term "evidence-based" means
2652 demonstrating a statistically significant effect on improving
2653 student outcomes or other relevant outcomes.

2654 Section 33. This act shall take effect July 1, 2021.