

1 A bill to be entitled

2 An act relating to the Early Learning Scholarship
3 Program; providing a short title; creating s. 1002.56,
4 F.S.; establishing the Early Learning Scholarship
5 Program; requiring the program to be administered by
6 the Office of Early Learning; providing the purpose of
7 the program; defining terms; specifying eligibility
8 criteria; providing that a student who receives a
9 scholarship remains eligible to participate until the
10 student is admitted to kindergarten or attains the age
11 of 6 years by a specified date; requiring program
12 funds to be used for a specified purpose; providing
13 for the administration of the program; requiring the
14 office to contract with an independent contractor to
15 evaluate the program; specifying the recommendations
16 to be included in the evaluation; requiring the office
17 to submit a written copy of the evaluation to the
18 Legislature and state agencies by a specified date;
19 specifying provider eligibility criteria; exempting
20 the state from liability; providing that the program
21 does not expand the regulatory authority of the state;
22 requiring the office to adopt rules; providing an
23 effective date.

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

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27 Section 1. This act may be cited as the "Brighter Future
28 Act."

29 Section 2. Section 1002.56, Florida Statutes, is created
30 to read:

31 1002.56 Early Learning Scholarship Program.—

32 (1) PURPOSE.—There is established the Early Learning
33 Scholarship Program to be administered by the Office of Early
34 Learning. The program is established in order to close the
35 opportunity gap by increasing access to high-quality early
36 childhood programs.

37 (2) DEFINITIONS.—As used in this section, the term:

38 (a) "Direct certification list" means the certified list
39 of children who qualify for the food assistance program, the
40 Temporary Assistance for Needy Families Program, or the Food
41 Distribution Program on Indian Reservations provided to the
42 Department of Education by the Department of Children and
43 Families.

44 (b) "Household income" has the same meaning as the term
45 "income" as defined in the Income Eligibility Guidelines for
46 free and reduced price meals under the National School Lunch
47 Program in 7 C.F.R. part 210 as published in the Federal
48 Register by the United States Department of Agriculture.

49 (c) "Office" means the Office of Early Learning.

50 (d) "Parent" means a resident of this state who is a

51 parent as defined in s. 1000.21(5).

52 (e) "Program" means the Early Learning Scholarship
53 program.

54 (f) "Provider" means a Voluntary Prekindergarten Education
55 Program or school readiness contracted provider approved
56 pursuant to ss. 1002.55 and 1002.88 and which meets the
57 requirements of subsection (6).

58 (3) ELIGIBILITY.—A student is eligible for a scholarship
59 under this program to attend programs offered by providers if:

60 (a) The student:

61 1. Is a resident of this state;

62 2. Is not receiving any other scholarship established
63 under this chapter;

64 3. Meets at least one of the following criteria:

65 a. The student is on the direct certification list;

66 b. The student is experiencing or has experienced
67 homelessness or falls within the category "children known to the
68 department" as defined in s. 39.0016;

69 c. The student is the child of a parent younger than 21
70 years of age who is pursuing a high school or high school
71 equivalency diploma; or

72 d. The student's household income level does not exceed
73 300 percent of the federal poverty level; and

74 (b) The parent has applied for a scholarship with the
75 office.

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77 A student who initially receives a scholarship based on
78 eligibility under this subsection remains eligible to
79 participate until the student is admitted to kindergarten or
80 attains the age of 6 years by February 1 of any school year.

81 (4) USE OF FUNDS.—Funds awarded under the program shall be
82 used for tuition and fees for eligible children to attend
83 programs offered by providers.

84 (5) ADMINISTRATION.—

85 (a) Subject to the appropriation of funds by the
86 Legislature, the office shall coordinate annually with early
87 learning coalitions to issue scholarships from the program.

88 (b) The office shall establish application timelines and
89 determine the schedule for awarding scholarship awards by direct
90 payment from early learning coalitions to program providers in a
91 manner that meets the needs of eligible parents and students.

92 (c) The early learning coalitions shall use the following
93 priority order to award scholarships:

94 1. Students who are in foster care.

95 2. Students who are infants or toddlers with a current
96 individualized family service plan.

97 3. Students who have a parent younger than 21 years of age
98 who is pursuing a high school or high school equivalency
99 diploma.

100 4. Students who are experiencing or have experienced

101 homelessness or who fall within the category "children known to
102 the department" as defined in s. 39.0016.

103 5. Students who have a household family income that does
104 not exceed 185 percent of the federal poverty level.

105 6. Subject to available general revenue appropriation,
106 students who have a household family income above 185 percent
107 but not exceeding 300 percent of the federal poverty level.

108 (d) The early learning coalitions may prioritize
109 applications on the basis of additional factors, including
110 geographic location and whether the student's family is
111 currently receiving, or on a waiting list for, a publicly funded
112 program providing early education or child care services.

113 (e) The office shall establish criteria for early learning
114 coalitions to use when determining the amount of scholarship
115 awards. The total amount of a scholarship award, or the amount
116 of a scholarship award in combination with any other public
117 funds received to provide early education or child care services
118 for the student, may not exceed the program provider's published
119 private pay rate. Scholarship funds may not be used to supplant
120 any federal funding received by the program to provide services
121 for the student.

122 (f) The office shall report on program implementation and
123 progress as part of its annual reporting requirements under s.
124 1002.82(5). The report must include, at a minimum, information
125 on the number, ages, and priority levels of children served and

126 the total number and amount of scholarships awarded by priority
127 level.

128 (g) The office shall contract with an independent
129 contractor to evaluate the program. The evaluation must include
130 recommendations regarding the appropriate scholarship amount,
131 the efficiency and effectiveness of program administration, and
132 the impact on kindergarten readiness. By January 15, 2024, the
133 office shall submit a written copy of the evaluation to the
134 chairs and ranking minority members of the legislative
135 committees and state agencies with primary jurisdiction over
136 kindergarten through grade 12 education.

137 (6) PROVIDER ELIGIBILITY.—

138 (a) A provider is eligible to receive scholarship funds if
139 the provider:

140 1. Meets the minimum kindergarten readiness rate as
141 determined under s. 1002.69(6); or

142 2. Demonstrates acceptable performance on the program
143 assessment under s. 1002.82(2)(n).

144 (b) Providers who are contracted for both the Voluntary
145 Prekindergarten Education Program and the school readiness
146 program must meet both criteria under subparagraphs (a)1. and 2.

147 (7) LIABILITY.—The state is not liable for the award of
148 funds or any use of awarded funds under this section.

149 (8) SCOPE OF AUTHORITY.—This section does not expand the
150 regulatory authority of the state, its officers, or the office

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151 to impose additional regulations on participating private
152 Voluntary Prekindergarten Education Program providers beyond
153 those reasonably necessary to enforce requirements expressly set
154 forth in this section.

155 (9) RULES.—The office shall adopt rules to administer this
156 section.

157 Section 3. This act shall take effect July 1, 2021.