

1 A bill to be entitled
2 An act relating to child care and early learning
3 providers; amending s. 402.305, F.S.; revising
4 licensing standards for licensed child care facilities
5 and minimum standards and training requirements for
6 child care personnel; requiring the Department of
7 Children and Families to conduct specified screening
8 of child care personnel and issue provisional approval
9 of such personnel under certain conditions; revising
10 requirements for a certain introductory course in
11 child care; deleting a requirement that the department
12 evaluate certain training requirements and testing
13 procedures; providing a limitation on the child care
14 personnel subject to periodic health examinations;
15 deleting requirements for minimum standards for
16 parental outreach and education regarding specified
17 issues, a specified plan that includes a program to
18 assist children in preventing and avoiding physical
19 and mental abuse, and specialized child care
20 facilities for the care of mildly ill children;
21 requiring the department to submit a report to
22 specified parties on a periodic schedule beginning on
23 a specified date; providing requirements for such
24 report; requiring the department to adopt rules and
25 revise policies based on such report; authorizing the

26 | department to contract for the production of such
27 | report; amending s. 402.3115, F.S.; requiring the
28 | department and certain local governmental agencies to
29 | develop and implement a plan to eliminate duplicative
30 | and unnecessary inspections of certain home providers;
31 | revising requirements for an abbreviated inspection
32 | plan for certain child care facilities; requiring the
33 | department to post certain information on its website
34 | by a specified date annually; amending s. 627.70161,
35 | F.S.; revising purpose and intent; revising
36 | definitions; providing that specified insurance
37 | provisions apply to large family child care homes;
38 | amending s. 1002.55, F.S.; revising requirements for
39 | public school and private prekindergarten providers;
40 | providing that certain courses must be completed in a
41 | specified timeframe; amending s. 1002.61, F.S.;
42 | revising education and training requirements for
43 | certain instructors; amending s. 1002.67, F.S.;
44 | revising requirements for a specified curriculum;
45 | amending s. 1002.68, F.S.; requiring certain providers
46 | that do not meet the minimum program assessment
47 | composite score for contracting to be subject to
48 | certain probation requirements; deleting obsolete
49 | language; requiring the Department of Education to
50 | consult with a specified entity within existing funds

51 beginning in a specified program year; revising
52 factors used to adopt a specified methodology;
53 requiring certain providers to notify parents if a
54 certain score is not maintained beginning a specified
55 program year; revising requirements for certain
56 providers that do not maintain certain scores;
57 authorizing certain providers to request additional
58 program assessments; revising factors that prohibit
59 certain providers from being granted a good cause
60 exemption; amending s. 1002.71, F.S.; revising upwards
61 the percentage of funds that may be retained and
62 expended by early learning coalitions for a specified
63 purpose; amending s. 1002.82, F.S.; authorizing the
64 department to commission a specified curriculum;
65 specifying that such commission must use existing
66 funds; providing requirements for such curriculum;
67 revising requirements for the statewide information
68 system; amending s. 1002.83, F.S.; authorizing early
69 learning coalitions to appoint an additional board
70 member to represent local law enforcement; amending s.
71 1002.89, F.S.; authorizing school readiness program
72 funding to be used for specified purposes; amending s.
73 1002.945, F.S.; revising requirements for certain
74 child care providers to obtain and maintain a
75 designation as a Gold Seal Quality Care provider;

76 amending s. 1008.25, F.S.; requiring, rather than
 77 authorizing, certain students to be eligible to
 78 receive certain reading interventions before
 79 kindergarten without first being referred to the local
 80 school district; authorizing such interventions to be
 81 provided by specified providers; providing maximum
 82 daily and total instruction hours; authorizing such
 83 interventions to be paid from specified funds;
 84 amending s. 1002.59, F.S.; conforming a cross-
 85 reference; providing an effective date.

86
 87 Be It Enacted by the Legislature of the State of Florida:

88
 89 Section 1. Subsection (18) of section 402.305, Florida
 90 Statutes, is renumbered as subsection (17), paragraph (a) of
 91 subsection (1), paragraphs (a), (e), and (f) of subsection (2),
 92 and subsections (9) and (13) and present subsection (17) are
 93 amended, and a new subsection (18) is added to that section, to
 94 read:

95 402.305 Licensing standards; child care facilities;
 96 reports.—

97 (1) LICENSING STANDARDS.—The department shall establish
 98 licensing standards that each licensed child care facility must
 99 meet regardless of the origin or source of the fees used to
 100 operate the facility or the type of children served by the

101 facility.

102 (a) 1. The standards shall be designed to address the
103 ~~following areas:~~

104 1. ~~the health, sanitation, safety, and~~ sanitary adequate
105 physical conditions surroundings for all children served by in
106 child care facilities.

107 2. The health and nutrition of all children in child care.

108 3. The child development needs of all children in child
109 care.

110 (2) PERSONNEL.—Minimum standards for child care personnel
111 shall include minimum requirements as to:

112 (a) Good moral character based upon screening as defined
113 in s. 402.302(15). This screening shall be conducted as provided
114 in chapter 435, using the level 2 standards for screening
115 provided set forth in that chapter, and include employment
116 history checks, a search of criminal history records, sexual
117 predator and sexual offender registries, and child abuse and
118 neglect registry of any state in which the current or
119 prospective child care personnel resided during the preceding 5
120 years. Once a completed application has been submitted, the
121 department shall complete the screening and provide the results
122 to the child care facility. If the department is unable to
123 complete the screening within 10 business days after receiving
124 the Florida Department of Law Enforcement results, the
125 department shall issue the current or prospective child care

126 personnel a 45-day-provisional-hire status based on the initial
127 results of the statewide criminal history records check while
128 any other required information is being requested and the
129 department is awaiting results. During the 45-day period, the
130 current or prospective child care personnel must be under the
131 direct supervision of a screened and trained staff member when
132 in contact with children.

133 (e) Minimum training requirements for child care
134 personnel.

135 1. Such minimum standards for training shall ensure that
136 all child care personnel take an approved 40-clock-hour
137 introductory course in child care, which shall be made available
138 online and in person, and which course covers ~~at least~~ the
139 following topic areas:

140 a. State and local rules and regulations which govern
141 child care.

142 b. Health, safety, and nutrition.

143 c. Identifying and reporting child abuse and neglect.

144 d. Child development, including typical and atypical
145 language, cognitive, motor, social, and self-help skills
146 development.

147 e. Observation of developmental behaviors, including using
148 a checklist or other similar observation tools and techniques to
149 determine the child's developmental age level.

150 f. Specialized areas, including computer technology for

151 professional and classroom use and early literacy and language
152 development of children from birth to 5 years of age, as
153 determined by the department, for owner-operators and child care
154 personnel of a child care facility.

155 g. Developmental disabilities, including autism spectrum
156 disorder and Down syndrome, and early identification, use of
157 available state and local resources, classroom integration, and
158 positive behavioral supports for children with developmental
159 disabilities.

160

161 Within 90 days after employment, child care personnel shall
162 begin training to meet the training requirements. Child care
163 personnel shall successfully complete such training within 1
164 year after the date on which the training began, as evidenced by
165 passage of a competency examination. Successful completion of
166 the 40-clock-hour introductory course shall articulate into
167 community college credit in early childhood education, pursuant
168 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
169 the required training shall be granted to child care personnel
170 based upon educational credentials or passage of competency
171 examinations. Child care personnel possessing a 2-year degree or
172 higher that includes 6 college credit hours in early childhood
173 development or child growth and development, or a child
174 development associate credential or an equivalent state-approved
175 child development associate credential, or a child development

176 associate waiver certificate shall be automatically exempted
177 from the training requirements in sub-subparagraphs b., d., and
178 e.

179 ~~2. The introductory course in child care shall stress, to~~
180 ~~the extent possible, an interdisciplinary approach to the study~~
181 ~~of children.~~

182 2.3. The introductory course shall cover recognition and
183 prevention of shaken baby syndrome; prevention of sudden infant
184 death syndrome; recognition and care of infants and toddlers
185 with developmental disabilities, including autism spectrum
186 disorder and Down syndrome; and early childhood brain
187 development within the topic areas identified in this paragraph.

188 3.4. On an annual basis in order to further their child
189 care skills and, if appropriate, administrative skills, child
190 care personnel who have fulfilled the requirements for the child
191 care training shall be required to take an additional 1
192 continuing education unit of approved inservice training, or 10
193 clock hours of equivalent training, as determined by the
194 department.

195 4.5. Child care personnel shall be required to complete
196 0.5 continuing education unit of approved training or 5 clock
197 hours of equivalent training, as determined by the department,
198 in early literacy and language development of children from
199 birth to 5 years of age one time. The year that this training is
200 completed, it shall fulfill the 0.5 continuing education unit or

201 5 clock hours of the annual training required in subparagraph 3.
202 ~~4.~~

203 ~~5.6.~~ Procedures for ensuring the training of qualified
204 child care professionals to provide training of child care
205 personnel, including onsite training, shall be included in the
206 minimum standards. It is recommended that the state community
207 child care coordination agencies (central agencies) be
208 contracted by the department to coordinate such training when
209 possible. Other district educational resources, such as
210 community colleges and career programs, can be designated in
211 such areas where central agencies may not exist or are
212 determined not to have the capability to meet the coordination
213 requirements set forth by the department.

214 ~~6.7.~~ Training requirements do ~~shall~~ not apply to certain
215 occasional or part-time support staff, including, but not
216 limited to, swimming instructors, piano teachers, dance
217 instructors, and gymnastics instructors.

218 ~~8.~~ ~~The department shall evaluate or contract for an~~
219 ~~evaluation for the general purpose of determining the status of~~
220 ~~and means to improve staff training requirements and testing~~
221 ~~procedures. The evaluation shall be conducted every 2 years. The~~
222 ~~evaluation shall include, but not be limited to, determining the~~
223 ~~availability, quality, scope, and sources of current staff~~
224 ~~training; determining the need for specialty training; and~~
225 ~~determining ways to increase inservice training and ways to~~

226 ~~increase the accessibility, quality, and cost-effectiveness of~~
227 ~~current and proposed staff training. The evaluation methodology~~
228 ~~shall include a reliable and valid survey of child care~~
229 ~~personnel.~~

230 7.9. The child care operator shall be required to take
231 basic training in serving children with disabilities within 5
232 years after employment, either as a part of the introductory
233 training or the annual 8 hours of inservice training.

234 (f) Periodic health examinations. Such requirement shall
235 only apply to child care personnel responsible for driving any
236 vehicle that is owned, operated, or regularly used by the child
237 care facility to provide transportation for children in care.

238 (9) ADMISSIONS AND RECORDKEEPING.—

239 (a) Minimum standards shall include requirements for
240 preadmission and periodic health examinations, requirements for
241 immunizations, and requirements for maintaining emergency
242 information and health records on all children.

243 ~~(b) During the months of August and September of each~~
244 ~~year, each child care facility shall provide parents of children~~
245 ~~enrolled in the facility detailed information regarding the~~
246 ~~causes, symptoms, and transmission of the influenza virus in an~~
247 ~~effort to educate those parents regarding the importance of~~
248 ~~immunizing their children against influenza as recommended by~~
249 ~~the Advisory Committee on Immunization Practices of the Centers~~
250 ~~for Disease Control and Prevention.~~

251 ~~(c) During the months of April and September of each year,~~
252 ~~at a minimum, each facility shall provide parents of children~~
253 ~~enrolled in the facility information regarding the potential for~~
254 ~~a distracted adult to fail to drop off a child at the facility~~
255 ~~and instead leave the child in the adult's vehicle upon arrival~~
256 ~~at the adult's destination. The child care facility shall also~~
257 ~~give parents information about resources with suggestions to~~
258 ~~avoid this occurrence. The department shall develop a flyer or~~
259 ~~brochure with this information that shall be posted to the~~
260 ~~department's website, which child care facilities may choose to~~
261 ~~reproduce and provide to parents to satisfy the requirements of~~
262 ~~this paragraph.~~

263 (b) ~~(d)~~ Because of the nature and duration of drop-in child
264 care, requirements for preadmission and periodic health
265 examinations and requirements for medically signed records of
266 immunization required for child care facilities shall not apply.
267 A parent of a child in drop-in child care shall, however, be
268 required to attest to the child's health condition and the type
269 and current status of the child's immunizations.

270 (c) ~~(e)~~ Any child shall be exempt from medical or physical
271 examination or medical or surgical treatment upon written
272 request of the parent or guardian of such child who objects to
273 the examination and treatment. However, the laws, rules, and
274 regulations relating to contagious or communicable diseases and
275 sanitary matters shall not be violated because of any exemption

276 from or variation of the health and immunization minimum
277 standards.

278 (13) PLAN OF ACTIVITIES.—Minimum standards shall ensure
279 that each child care facility has and implements a written plan
280 for the daily provision of varied activities and active and
281 quiet play opportunities appropriate to the age of the child.
282 ~~The written plan must include a program, to be implemented~~
283 ~~periodically for children of an appropriate age, which will~~
284 ~~assist the children in preventing and avoiding physical and~~
285 ~~mental abuse.~~

286 ~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF~~
287 ~~MILDLY ILL CHILDREN.—Minimum standards shall be developed by the~~
288 ~~department, in conjunction with the Department of Health, for~~
289 ~~specialized child care facilities for the care of mildly ill~~
290 ~~children. The minimum standards shall address the following~~
291 ~~areas: personnel requirements; staff-to-child ratios; staff~~
292 ~~training and credentials; health and safety; physical facility~~
293 ~~requirements, including square footage; client eligibility,~~
294 ~~including a definition of "mildly ill children"; sanitation and~~
295 ~~safety; admission and recordkeeping; dispensing of medication;~~
296 ~~and a schedule of activities.~~

297 (18) REPORT.—By December 31, 2024, and every 5 years
298 thereafter, the department shall submit a report to the
299 Governor, the President of the Senate, and the Speaker of the
300 House of Representatives.

301 (a) The report must include, at a minimum, information
302 concerning:

303 1. Training requirements and coursework offered by the
304 department to child care personnel. The report must include the
305 results of a reliable and valid survey of child care personnel
306 regarding such training and coursework. Such results must be
307 used to make recommendations regarding:

308 a. The availability, quality, relevance, scope, cost
309 effectiveness, and sources of current and prospective training.

310 b. The need for specialty training.

311 c. Approaches to increase inservice training.

312 2. Licensing and regulation of child care facilities. The
313 report shall identify and make recommendations regarding:

314 a. The elimination of unnecessary, vague, or redundant
315 rules.

316 b. Streamlined standards used to classify violations.

317 c. The application of rules in a manner to eliminate
318 subjectivity by licensing staff.

319 d. Methods to simplify inspections.

320 e. The elimination of duplicative and unnecessary
321 inspections.

322 (b) The department shall adopt rules and revise policies
323 based on the recommendations in the report.

324 (c) The department may contract for the production of the
325 report required under this subsection.

326 Section 2. Section 402.3115, Florida Statutes, is amended
 327 to read:

328 402.3115 Elimination of duplicative and unnecessary
 329 inspections; abbreviated inspections.—

330 (1) The Department of Children and Families and local
 331 governmental agencies that license child care facilities shall
 332 develop and implement a plan to eliminate duplicative and
 333 unnecessary inspections of child care facilities, family day
 334 care homes, and large family child care homes.

335 (2)(a) ~~In addition,~~ The department and the local
 336 governmental agencies shall develop and implement an abbreviated
 337 inspection plan for child care facilities that:

338 1. Have been licensed for at least 2 consecutive years;

339 2. Have had no Class 1 and no more than two of the same ~~or~~
 340 Class 2 deficiencies, as defined by rule, for at least 2
 341 consecutive years;

342 3. Have received at least two full onsite renewal
 343 inspections in the most recent 2 years;

344 4. Do not have any current uncorrected violations; and

345 5. Do not have any open regulatory complaints or active
 346 child protective services investigations.

347 (b) The abbreviated inspection must include those elements
 348 identified by the department ~~and the local governmental agencies~~
 349 as being key indicators of whether the child care facility
 350 continues to provide quality care and programming and must be

351 updated every 5 years.

352 (c) By August 1 of each year, the department shall post on
 353 its website the number of:

354 1. Abbreviated inspections conducted.

355 2. Providers that qualified for an abbreviated inspection.

356 3. Providers that, after an abbreviated inspection, no
 357 longer qualify for an abbreviated inspection after receiving
 358 violations.

359 Section 3. Section 627.70161, Florida Statutes, is amended
 360 to read:

361 627.70161 Family day care and large family child care
 362 insurance.—

363 (1) PURPOSE AND INTENT.—The Legislature recognizes that
 364 family day care homes and large family child care homes fulfill
 365 a vital role in providing child care in Florida. It is the
 366 intent of the Legislature that residential property insurance
 367 coverage should not be canceled, denied, or nonrenewed solely on
 368 the basis of the ~~family~~ day care or child care services at the
 369 residence. The Legislature also recognizes that the potential
 370 liability of residential property insurers is substantially
 371 increased by the rendition of child care services on the
 372 premises. The Legislature therefore finds that there is a public
 373 need to specify that contractual liabilities that arise in
 374 connection with the operation of the family day care home or
 375 large family child care home are excluded from residential

376 property insurance policies unless they are specifically
377 included in such coverage.

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

379 (a) "Child care" has the same meaning as in s. 402.302
380 ~~means the care, protection, and supervision of a child, for a~~
381 ~~period of less than 24 hours a day on a regular basis, which~~
382 ~~supplements parental care, enrichment, and health supervision~~
383 ~~for the child, in accordance with his or her individual needs,~~
384 ~~and for which a payment, fee, or grant is made for care.~~

385 (b) "Family day care home" has the same meaning as in s.
386 402.302 ~~means an occupied residence in which child care is~~
387 ~~regularly provided for children from at least two unrelated~~
388 ~~families and which receives a payment, fee, or grant for any of~~
389 ~~the children receiving care, whether or not operated for a~~
390 ~~profit.~~

391 (c) "Large family child care home" has the same meaning as
392 in s. 402.302.

393 (3) FAMILY DAY CARE AND LARGE FAMILY CHILD CARE;
394 COVERAGE.—A residential property insurance policy shall not
395 provide coverage for liability for claims arising out of, or in
396 connection with, the operation of a family day care home or
397 large family child care home, and the insurer shall be under no
398 obligation to defend against lawsuits covering such claims,
399 unless:

400 (a) Specifically covered in a policy; or

401 (b) Covered by a rider or endorsement for business
 402 coverage attached to a policy.

403 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
 404 insurer may not deny, cancel, or refuse to renew a policy for
 405 residential property insurance solely on the basis that the
 406 policyholder or applicant operates a family day care home or
 407 large family child care home. In addition to other lawful
 408 reasons for refusing to insure, an insurer may deny, cancel, or
 409 refuse to renew a policy of a family day care home or large
 410 family child care home provider if one or more of the following
 411 conditions occur:

412 (a) The policyholder or applicant provides care for more
 413 children than authorized for family day care homes or large
 414 family child care homes under ~~by~~ s. 402.302;

415 (b) The policyholder or applicant fails to maintain a
 416 separate commercial liability policy or an endorsement providing
 417 liability coverage for the family day care home or large family
 418 child care home operations;

419 (c) The policyholder or applicant fails to comply with the
 420 family day care home or large family child care home licensure
 421 and registration requirements specified in chapter 402 ~~s.~~
 422 ~~402.313~~; or

423 (d) Discovery of willful or grossly negligent acts or
 424 omissions or any violations of state laws or regulations
 425 establishing safety standards for family day care homes or large

426 family child care homes by the named insured or his or her
 427 representative which materially increase any of the risks
 428 insured.

429 Section 4. Paragraph (c) of subsection (3) of section
 430 1002.55, Florida Statutes, are amended to read:

431 1002.55 School-year prekindergarten program delivered by
 432 private prekindergarten providers.—

433 (3) To be eligible to deliver the prekindergarten program,
 434 a private prekindergarten provider must meet each of the
 435 following requirements:

436 (c) The private prekindergarten provider must have, for
 437 each prekindergarten class of 11 children or fewer, at least one
 438 prekindergarten instructor who meets each of the following
 439 requirements:

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

442 a. A child development associate credential issued by the
 443 National Credentialing Program of the Council for Professional
 444 Recognition; or

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

448
 449 The Department of Children and Families may adopt rules under
 450 ss. 120.536(1) and 120.54 which provide criteria and procedures

451 for approving equivalent credentials under sub-subparagraph b.

452 2. Within 45 days after being approved by the early
453 learning coalition as the lead instructor in a VPK classroom,
454 the prekindergarten instructor must successfully complete three
455 emergent literacy training courses that include developmentally
456 appropriate and experiential learning practices for children and
457 a student performance standards training course approved by the
458 department as meeting or exceeding the minimum standards adopted
459 under s. 1002.59. The prekindergarten instructor must complete
460 an emergent literacy training course at least once every 5 years
461 after initially completing the three emergent literacy training
462 courses. The courses in this subparagraph must be recognized as
463 part of the informal early learning and career pathway
464 identified by the department under s. 1002.995(1)(b). The
465 requirement for completion of the standards training course
466 shall take effect July 1, 2022. The courses must be made
467 available online or in person.

468 Section 5. Subsection (4) of section 1002.61, Florida
469 Statutes, is amended to read:

470 1002.61 Summer prekindergarten program delivered by public
471 schools and private prekindergarten providers.—

472 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),
473 each public school and private prekindergarten provider must
474 have, for each prekindergarten class, at least one
475 prekindergarten instructor who is a certified teacher or holds

476 one of the educational credentials specified in s. 1002.55(4) (a)
 477 or (b) or an educational credential specified in s.
 478 1002.55(3) (c)1. as long as the instructor has completed the
 479 early literacy micro-credential program under s. 1003.485. As
 480 used in this subsection, the term "certified teacher" means a
 481 teacher holding a valid Florida educator certificate under s.
 482 1012.56 who has the qualifications required by the district
 483 school board to instruct students in the summer prekindergarten
 484 program. In selecting instructional staff for the summer
 485 prekindergarten program, each school district shall give
 486 priority to teachers who have experience or coursework in early
 487 childhood education and have completed emergent literacy and
 488 performance standards courses, as provided for in s.
 489 1002.55(3) (c)2.

490 Section 6. Paragraph (b) of subsection (2) of section
 491 1002.67, Florida Statutes, is amended to read:

492 1002.67 Performance standards and curricula.—
 493 (2)

494 (b) Each private prekindergarten provider's and public
 495 school's curriculum must be developmentally appropriate and
 496 must:

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

499 2. Enhance the age-appropriate progress of students in
 500 attaining the performance standards adopted by the department

501 under subsection (1); and

502 3. Support student learning gains through differentiated
 503 instruction which must ~~that shall~~ be measured by the coordinated
 504 screening and progress monitoring program under s. 1008.25(8). A
 505 private prekindergarten provider's or public school's curriculum
 506 may not consist of using the coordinated screening and progress
 507 monitoring program or any other progress monitoring program for
 508 direct student instruction.

509 Section 7. Subsection (3), paragraphs (a) and (c) of
 510 subsection (4), paragraph (a) of subsection (5), and paragraph
 511 (d) of subsection (6) of section 1002.68, Florida Statutes, are
 512 amended to read:

513 1002.68 Voluntary Prekindergarten Education Program
 514 accountability.—

515 (3)(a) For the 2022-2023 ~~2020-2021~~ program year, a the
 516 ~~department shall calculate a kindergarten readiness rate for~~
 517 ~~each~~ private prekindergarten provider and public school
 518 participating in the Voluntary Prekindergarten Education Program
 519 that does not meet the minimum program assessment composite
 520 score for contracting in accordance with paragraph (5)(a) shall
 521 be subject to the probation requirements of paragraph (5)(b)
 522 ~~based upon learning gains and the percentage of students~~
 523 ~~assessed as ready for kindergarten. The department shall require~~
 524 ~~that each school district administer the statewide kindergarten~~
 525 ~~screening in use before the 2021-2022 school year to each~~

526 ~~kindergarten student in the school district within the first 30~~
527 ~~school days of the 2021-2022 school year. Private schools may~~
528 ~~administer the statewide kindergarten screening to each~~
529 ~~kindergarten student in a private school who was enrolled in the~~
530 ~~Voluntary Prekindergarten Education Program. Learning gains~~
531 ~~shall be determined using a value-added measure based on growth~~
532 ~~demonstrated by the results of the preassessment and~~
533 ~~postassessment in use before the 2021-2022 program year.~~
534 ~~However, a provider may not be newly placed on probationary~~
535 ~~status under this paragraph. A provider currently on~~
536 ~~probationary status may only be removed from such status if the~~
537 ~~provider earns the minimum rate, determined pursuant to~~
538 ~~subsection (5). The methodology for calculating a provider's~~
539 ~~readiness rate may not include students who are not administered~~
540 ~~the statewide kindergarten screening.~~

541 ~~(b) For the 2021-2022 program year, kindergarten screening~~
542 ~~results may not be used in the calculation of readiness rates.~~
543 ~~Any private prekindergarten provider or public school~~
544 ~~participating in the Voluntary Prekindergarten Education Program~~
545 ~~which fails to meet the minimum kindergarten readiness rate for~~
546 ~~the 2021-2022 program year is subject to the probation~~
547 ~~requirements of subsection (5).~~

548 (4) (a) Beginning with the 2023-2024 ~~2022-2023~~ program
549 year, within existing funds, the department shall consult with
550 the University of South Florida's Rightpath Research and

551 Innovation Center to adopt a methodology for calculating each
552 private prekindergarten provider's and public school provider's
553 performance metric, which must be based on a combination of the
554 following:

555 1. Program assessment ~~composite~~ scores under subsection
556 (2), which may be calculated differently, based on the
557 methodology adopted by the department, than the program
558 assessment composite score required for contracting in paragraph
559 (5) (a), and which must be weighted at no less than 50 percent.

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

563 3. Norm-referenced developmental learning outcomes
564 described in subsection (1).

565 (c) The program assessment composite score in subsection
566 (5) and performance metric must be calculated for each private
567 prekindergarten or public school site.

568 (5) (a) Beginning with the 2023-2024 program year, if a
569 public school's or private prekindergarten provider's program
570 assessment composite score for its prekindergarten classrooms
571 does not maintain ~~fails to meet~~ the minimum program assessment
572 composite score for contracting adopted in rule by the
573 department, the private prekindergarten provider or public
574 school must notify the parents of each child enrolled in its
575 Voluntary Prekindergarten Education Program based on rules

576 adopted by the department and may not participate in the
577 Voluntary Prekindergarten Education Program beginning in the
578 following consecutive program year based on rules adopted by the
579 department and thereafter until the public school or private
580 ~~prekindergarten provider meets the minimum composite score for~~
581 ~~contracting. A public school or private prekindergarten provider~~
582 ~~may request one program assessment per program year in order to~~
583 ~~requalify for participation in the Voluntary Prekindergarten~~
584 ~~Education Program~~, provided that the public school or private
585 prekindergarten provider is not excluded from participation
586 under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9)(b), or
587 paragraph (5)(b) of this section. If a public school or private
588 prekindergarten provider would like an additional program
589 assessment completed within the same program year in order to
590 maintain eligibility for the following program year, the public
591 school or private prekindergarten provider may request an
592 additional program assessment and shall be responsible for the
593 cost of the additional program assessment.

594 (6)

595 (d) A good cause exemption may not be granted to any
596 private prekindergarten provider or public school that has any
597 class I violations or two or more of the same class II
598 violations, as defined by rule of the Department of Children and
599 Families, within the 2 years preceding the provider's or
600 school's request for the exemption.

601 Section 8. Subsection (7) of section 1002.71, Florida
 602 Statutes, is amended to read:

603 1002.71 Funding; financial and attendance reporting.—

604 (7) The department shall require that administrative
 605 expenditures be kept to the minimum necessary for efficient and
 606 effective administration of the Voluntary Prekindergarten
 607 Education Program. Administrative policies and procedures shall
 608 be revised, to the maximum extent practicable, to incorporate
 609 the use of automation and electronic submission of forms,
 610 including those required for child eligibility and enrollment,
 611 provider and class registration, and monthly certification of
 612 attendance for payment. A school district may use its automated
 613 daily attendance reporting system for the purpose of
 614 transmitting attendance records to the early learning coalition
 615 in a mutually agreed-upon format. In addition, actions shall be
 616 taken to reduce paperwork, eliminate the duplication of reports,
 617 and eliminate other duplicative activities. Each early learning
 618 coalition may retain and expend no more than 5.0 ~~4.0~~ percent of
 619 the funds paid by the coalition to private prekindergarten
 620 providers and public schools under paragraph (5) (b). Funds
 621 retained by an early learning coalition under this subsection
 622 may be used only for administering the Voluntary Prekindergarten
 623 Education Program and may not be used for the school readiness
 624 program or other programs.

625 Section 9. Paragraphs (j), (l), and (q) of subsection (2)

626 of section 1002.82, Florida Statutes, are amended to read:
 627 1002.82 Department of Education; powers and duties.—
 628 (2) The department shall:
 629 (j) Monitor the alignment and consistency of the standards
 630 and benchmarks developed and adopted by the department that
 631 address the age-appropriate progress of children in the
 632 development of school readiness skills. The standards for
 633 children from birth to kindergarten entry in the school
 634 readiness program must be aligned with the performance standards
 635 adopted for children in the Voluntary Prekindergarten Education
 636 Program and must address the following domains:
 637 1. Approaches to learning.
 638 2. Cognitive development and general knowledge.
 639 3. Numeracy, language, and communication.
 640 4. Physical development.
 641 5. Executive functioning ~~Self-regulation~~.
 642 (l) Adopt a list of approved curricula that meet the
 643 performance standards for the school readiness program and
 644 establish a process for the review and approval of a provider's
 645 curriculum that meets the performance standards. Within existing
 646 funds, the department may also commission a voluntary open-
 647 source school readiness curriculum that meets the performance
 648 standards pursuant to paragraph (j) that must:
 649 1. Be available on the Internet at no cost.
 650 2. Contain resources that support the use of the

651 curriculum.

652 3. Contain resources for parent engagement.

653 4. Consist of aligned and effective professional
654 development resources necessary to implement the curriculum with
655 fidelity.

656 (q) Within existing funds, establish a single statewide
657 information system that shall be used to manage all early
658 learning programs, including the implementation of data sharing
659 connections to the child care licensing and child care training
660 platforms within the Child Care Services Program Office of the
661 Department of Children and Families, and that each coalition
662 must use for the purposes of managing the single point of entry,
663 tracking children's progress, coordinating services among
664 stakeholders, determining eligibility of children, tracking
665 child attendance, and streamlining administrative processes for
666 providers and early learning coalitions. By July 1, 2024 ~~2019~~,
667 the system, subject to ss. 1002.72 and 1002.97, shall:

668 1. Allow a parent to find early learning programs online,
669 including the performance profile under s. 1002.92(3)(a) which
670 must be integrated into the online portal under s. 1001.10(10).

671 ~~2.1.~~ Allow a parent to monitor the development of his or
672 her child as the child moves among programs within the state.

673 ~~3.2.~~ Enable analysis at the state, regional, and local
674 level to measure child growth over time, program impact, and
675 quality improvement and investment decisions.

676 Section 10. Subsections (5) through (16) of section
677 1002.83, Florida Statutes, are renumbered as subsections (6)
678 through (17), respectively, subsection (3) is amended, and a new
679 subsection (5) is added to that section, to read:

680 1002.83 Early learning coalitions.—

681 (3) The Governor shall appoint the chair and two other
682 members of each early learning coalition, who must each meet the
683 qualifications of a private sector business member under
684 subsection (7)~~(6)~~. In the absence of a governor-appointed chair,
685 the Commissioner of Education may appoint an interim chair from
686 the current early learning coalition board membership.

687 (5) The coalition may also choose to appoint an additional
688 public sector board member to include a representative of local
689 law enforcement.

690 Section 11. Paragraph (b) of subsection (4) of section
691 1002.89, Florida Statutes, is amended to read:

692 1002.89 School readiness program; funding.—

693 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
694 necessary for the efficient and effective administration of the
695 school readiness program with the highest priority of
696 expenditure being direct services for eligible children.
697 However, no more than 5 percent of the funds allocated in
698 paragraph (1)(a) may be used for administrative costs and no
699 more than 22 percent of the funds allocated in paragraph (1)(a)
700 may be used in any fiscal year for any combination of

701 administrative costs, quality activities, and nondirect services
702 as follows:

703 (b) Activities to improve the quality of child care as
704 described in 45 C.F.R. s. 98.53, which shall be limited to the
705 following:

706 1. Developing, establishing, expanding, operating, and
707 coordinating resource and referral programs specifically related
708 to the provision of comprehensive consumer education to parents
709 and the public to promote informed child care choices specified
710 in 45 C.F.R. s. 98.33.

711 2. Awarding grants and providing financial support to
712 school readiness program providers and their staff to assist
713 them in meeting applicable state requirements for the program
714 assessment required under s. 1002.82(2)(n), child care
715 performance standards, implementing developmentally appropriate
716 curricula and related classroom resources that support parent
717 engagement curricula, ~~providing~~ literacy supports, and providing
718 continued professional development through the Teacher Education
719 and Compensation Helps (TEACH) Scholarship Program under s.
720 1002.95 and training aligned to the early learning professional
721 development standards and career pathways under s. 1002.995, and
722 reimbursement for background screenings and training. Any grants
723 awarded pursuant to this subparagraph must ~~shall~~ comply with ss.
724 215.971 and 287.058.

725 3. Providing training aligned with the early learning

726 professional development standards and career pathways under s.
 727 1002.995, technical assistance, and financial support to school
 728 readiness program providers, staff, and parents on standards,
 729 child screenings, child assessments, the child development
 730 ~~research and best practices~~, developmentally appropriate
 731 curriculum under s. 1002.82(2)(1), executive functioning
 732 ~~curricula, character development~~, teacher-child interactions,
 733 age-appropriate discipline practices, health and safety,
 734 nutrition, first aid, cardiopulmonary resuscitation, the
 735 recognition of communicable diseases, and child abuse detection,
 736 prevention, and reporting.

737 4. Providing, from among the funds provided for the
 738 activities described in subparagraphs 1.-3., adequate funding
 739 for infants and toddlers as necessary to meet federal
 740 requirements related to expenditures for quality activities for
 741 infant and toddler care.

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

745 6. Responding to Warm-Line requests by providers and
 746 parents, including providing developmental and health screenings
 747 to school readiness program children.

748 Section 12. Paragraph (b) of subsection (4) of section
 749 1002.945, Florida Statutes, is amended to read:

750 1002.945 Gold Seal Quality Care Program.—

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

755 (b) The child care provider must not have had three or
 756 more of the same class II violations, as defined by rule of the
 757 Department of Children and Families, within the 2 years
 758 preceding its application for designation as a Gold Seal Quality
 759 Care provider. Commission of three or more of the same class II
 760 violations within a 2-year period shall be grounds for
 761 termination of the designation as a Gold Seal Quality Care
 762 provider until the provider has no class II violations that are
 763 the same for a period of 1 year.

764 Section 13. Paragraph (b) of subsection (5) of section
 765 1008.25, Florida Statutes, is amended to read:

766 1008.25 Public school student progression; student
 767 support; coordinated screening and progress monitoring;
 768 reporting requirements.—

769 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

770 (b) A Voluntary Prekindergarten Education Program student
 771 who exhibits a substantial deficiency in early literacy skills
 772 in accordance with the standards under s. 1002.67(1)(a) and
 773 based upon the results of the administration of the ~~final~~
 774 coordinated screening and progress monitoring under subsection
 775 (8) shall be ~~referred to the local school district and may be~~

776 eligible to receive early literacy skill instructional support
777 through a summer bridge program the summer ~~intensive reading~~
778 ~~interventions~~ before participating in kindergarten. The early
779 literacy skill instructional support may be delivered by a
780 private prekindergarten provider or public school that meets
781 requirements adopted by the department. The program shall
782 consist of no more than 4 hours of instruction per day for a
783 total of 140 hours. Such early literacy skill instructional
784 support may ~~intensive reading interventions~~ shall be paid for
785 using any unused funds from the General Appropriations Act
786 allocated for the Voluntary Prekindergarten Education Program
787 from the prior fiscal year in accordance with the rate set for a
788 student in a summer prekindergarten program or from the
789 district's evidence-based reading instruction allocation in
790 accordance with s. 1011.62(8).

791 Section 14. Subsection (1) of section 1002.59, Florida
792 Statutes, is amended to read:

793 1002.59 Emergent literacy and performance standards
794 training courses.—

795 (1) The department, in collaboration with the Just Read,
796 Florida! Office, shall adopt minimum standards for courses in
797 emergent literacy for prekindergarten instructors. Each course
798 must comprise 5 clock hours and provide instruction in
799 strategies and techniques to address the age-appropriate
800 progress of prekindergarten students in developing emergent

801 literacy skills, including oral communication, knowledge of
 802 print and letters, phonological and phonemic awareness, and
 803 vocabulary and comprehension development, consistent with the
 804 evidence-based content and strategies identified pursuant to s.
 805 1001.215(8). The course standards must be reviewed as part of
 806 any review of subject coverage or endorsement requirements in
 807 the elementary, reading, and exceptional student educational
 808 areas conducted pursuant to s. 1012.586. Each course must also
 809 provide resources containing strategies that allow students with
 810 disabilities and other special needs to derive maximum benefit
 811 from the Voluntary Prekindergarten Education Program. Successful
 812 completion of an emergent literacy training course approved
 813 under this section satisfies requirements for approved training
 814 in early literacy and language development under ss.

815 402.305(2)(e)4., 402.313(6), and 402.3131(5) ss.
 816 ~~402.305(2)(e)5., 402.313(6), and 402.3131(5).~~

817 Section 15. This act shall take effect July 1, 2023.